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AUTHOR Cunningham, Claire; And Others
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ABSTRACT

A training manual for state education agency (SEA) staff dealing with issues of sex bias and discrimination in the educational system is presented. The manual is designed to achieve the following primary objectives: (1) provide a status report on federal and state roles in promoting educational equity; (2) provide an overview of inequities based on race, sex, national origin, and disability that exist in the educational system; and (3) encourage staff to work cooperatively in integrating equity concerns into SEA programs and activities. While portions of the manual can be adapted for use at the local level, the information and strategies are designed to promote coordination among SEA staff. Materials are organized into seven self-contained chapters which can be presented sequentially or independently. Chapter 1, "Participant Self-Assessment," is designed to assess awareness of equity issues and knowledge of equity-related laws and research and comprises a self-assessment worksheet and answer sheet. Chapter 2, "The Federal and State Roles in Promoting Educational Equity," comprises the following sections: (1) "The Federal Role"; (2) "'Grove City College v. Bell'; (3) "The State Role"; and (4) "Equity Action at the State Level--A Worksheet." Chapter 3, "Equity-Related Laws at the Federal Level," comprises the following sections: (1) "Title IX of the Education Amendments of 1972"; (2) "Title VI of the Civil Rights Act of 1964"; (3) "The Education of All Handicapped Children Act of 1975"; (4) "Section 504 of the Rehabilitation Act of 1973"; (5) "Title IV of the Civil Rights Act of 1964"; (6) "Women's Educational Equity Act of 1984"; (7) "The Carl D. Perkins Vocational Education Act"; (8) "Bilingual Education Act of 1984"; (9) "Chapter 1 of the Education Consolidation and Improvement Act"; (10) "Summary of Federal Equity-Related Laws"; and (11) "Applying the Law--A Worksheet." Chapter 4, "Persistent Inequities," comprises the following sections: (1) "Introduction"; (2) "Social and Economic Inequities Facing Women"; (3) "Discrimination and Inequities in Elementary and Secondary Schools"; and (4) "Persistent Inequities--Small Group Activity." Chapter 5, "Integrating Equity Concerns: A Collaborative Approach," comprises the following sections: (1) "Increasing Collaboration among Equity Staff"; (2) "Integrating Equity Concerns into SEA Activities"; (3) "Assessing Collaboration among Equity Staff--A Worksheet"; (4) "Identifying Equity Needs of SEA Staff--A Worksheet"; and (5) "A Checklist To Assess the Extent to Which Equity Concerns Have Been Integrated into SEA Activities--A Worksheet." Chapter 6 describes next steps for SEA equity staff and Chapter 7 provides materials on evaluation and feedback. The participant activities which accompany each chapter can be adapted for either large- or small-group meetings. Statistical data are included on nine tables and one graph. (FHW)

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EQUITY TRAINING FOR STATE EDUCATION AGENCY STAFF

Resource Center on Educational Equity
Council of Chief State School Officers
400 North Capitol Street, N. W., Suite 379
Washington, D. C. 20001

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The project training manual was developed by Claire Cunningham, Director of the project and Associate Director of the Resource Center, Cynthia Brown, Director of the Resource Center, and Glenda Partee, Assistant Director of the Resource Center.

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INTRODUCTION

Introduction

During 1976-1978, the National Center for Sex Roles in Education, the precursor of the current CCSSO Resource Center on Educational Equity, developed training materials and conducted a series of training-of-trainers sessions for state and local Title IX coordinators to assist them in complying with Title IX of the Education Amendments of 1972. The materials and the subsequent training were based on the original Title IX regulations and were designed for participants who had little familiarity with the law or its implications.

Today, sex-based inequities continue to exist throughout the educational system. The situation facing educators in 1986, however, differs in several important ways from the situation confronting them several years ago: 1) the role of the federal government in the education field has declined significantly during recent years; 2) ambiguities concerning the scope of Office for Civil Rights (OCR) jurisdiction have arisen as a result of Grove City College v. Bell; 3) the state role in education has become more visible as the federal role has declined and as states implement "excellence" reforms; 4) while blatant "access" issues no longer present major obstacles to educational equity, more subtle forms of bias and discrimination continue to surface; and 5) there has been a significant turnover rate among equity staff in education agencies. These and related factors, discussed in detail below, necessitated the development of new equity training materials.

This training manual is designed to achieve three primary objectives. First, it is intended to provide a "status report" for state education agency (SEA) equity staff on federal and state roles in promoting

educational equity. Second, the manual provides an overview of inequities based on race, sex, national origin, and disability that continue to exist in our educational system. Third, it encourages equity staff to work cooperatively in integrating equity concerns into SEA programs and activities.

The manual is designed for SEA equity personnel and is developed from a sex equity perspective. While portions of the manual can be adapted for use at the local level, the manual focuses on information and strategies designed to help SEA staff do their jobs in a more coordinated fashion.

Materials included in the manual are organized into self-contained "chapters" which can be presented in sequence or independently. Participant activities which accompany each chapter can be adapted to suit large or small group meetings.

PARTICIPANT SELF-ASSESSMENT

PARTICIPANT SELF-ASSESSMENT

Objectives:

- 1) To assess participants' awareness and understanding of diverse equity issues; and
- 2) To assess participants' knowledge of equity-related laws and research findings.

Procedure for Trainer:

Distribute copies of the "Self-Assessment Worksheet" to participants and ask them to respond to each question. A fact sheet providing answers to the questions can be distributed at the conclusion of the workshop.

In addition to serving as a pretest for workshop participants, this exercise provides a mechanism for initiating discussion among participants.

Materials for Participant Activities:

- Self-Assessment Worksheet
- Self-Assessment Answer Sheet

SELF-ASSESSMENT WORKSHEET

	<u>TRUE</u>	<u>FALSE</u>
1. Public Law 94-142 requires that an individualized education program (IEP) be developed for each child needing special education. The IEP must be reviewed and updated every three years.	_____	_____
2. There is a rebuttable presumption that once a local education agency (LEA) accepts federal Chapter 2 funds, all of the LEA's programs and activities are subject to U. S. Department of Education, Office for Civil Rights (OCR) jurisdiction.	_____	_____
3. Title VI of the Civil Rights Act of 1964, the Women's Educational Equity Act, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973 are all civil rights statutes which prohibit discrimination in institutions which receive federal financial assistance.	_____	_____
4. Low-income or socioeconomically disadvantaged white females drop out of high school at higher rates than low-income or socioeconomically disadvantaged black females.	_____	_____
5. According to OCR statistics in 1980, black students were three times as likely as white students to be enrolled in programs for the educable mentally retarded.	_____	_____
6. In 1984, only about one-third of the 3.6 million limited English proficient students received education programs designed for their special needs.	_____	_____
7. In 1986, there are twelve female chief state school officers.	_____	_____
8. In 1984, 16 percent of all families in the United States were headed by females.	_____	_____
9. As a group Hispanic women tend to be racially homogeneous and of common national origins.	_____	_____
10. The average weekly earnings of women are about one-third less than the average weekly earnings of men.	_____	_____
11. Males are more likely than females to be enrolled in programs for the educable mentally retarded, trainable mentally retarded, and speech impaired.	_____	_____
12. Many college-going females do not acknowledge or fully understand the barriers to their success in the world of work.	_____	_____

- | | | |
|--|---|---|
| 13. Both the high school and college attainment rates for disabled women are higher than attainment rates for disabled men. | — | — |
| 14. The full time year-round labor force participation rates for disabled men in 1981 was three times the participation rate for disabled women. | — | — |
| 15. Females with four or more years of postsecondary education have lower average earnings than the average earnings of males who complete only high school. | — | — |
| 16. Asian American women of Japanese and Chinese origin surpass all other groups of women in their levels of educational achievement. | — | — |
| 17. In 1984, the unemployment rate for black women was more than twice as great as the unemployment rate for white women. | — | — |
| 18. In 1980, approximately 40% of Native American women worked full-time, year-round jobs. | — | — |

SELF-ASSESSMENT ANSWER SHEET

1. False Public Law 94-142 requires that each child's IEP be reviewed at least annually and, when necessary, updated in order to meet the child's changing needs.
2. False Following the decision in the Pickens County School District case, OCR indicated that where Chapter 2 funds are the basis of OCR jurisdiction, the funds must be traced to determine whether any federal funds were spent where the alleged discrimination occurred.
3. False The Women's Educational Equity Act is not a civil rights statute. It is a funding program enacted by Congress in 1974 to help remedy discrimination against women and girls in the educational system.
4. True "Dropping Out of High School: The Influence of Race, Sex, and Family Background," Russell W. Rumberger. American Educational Research Journal, Summer 1983.
5. True U. S. Department of Education, Office for Civil Rights, 1980 Elementary and Secondary School Civil Rights Survey: National Summaries. Arlington, VA: DBS Corporation, 1982.
6. True U.S. Department of Education, Office for Bilingual Education and Minority Languages Affairs (OBEMLA), 1984.
7. False There are six (6) females among the chief state school officers in the fifty states and the District of Columbia.
8. True U. S. Department of Labor, Fact Sheet No. 85-2, July 1985.
9. False Hispanic women are a diverse group composed of different races and national origins. "Condition of Hispanic Women in America Today." C. DeNavas and E. Fernandez, U. S. Department of Commerce Bureau of the Census, July 27, 1984.
10. True Pay Equity Issues and Answers, League of Women Voters Education Fund, 1986.
11. True U. S. Department of Education, Office for Civil Rights 1980 Elementary and Secondary School Civil Rights Survey.
12. True College Press Service, April 17, 1986 p. 24.
13. False In the population of disabled persons aged 16 to 64, thirty-five percent (35%) of disabled women compared to thirty-one percent (31%) of disabled men complete high school. Only six percent (6%) of disabled females and ten percent (10%) of disabled men complete four or more years of college. (Disabled Women in America, F. Bowe, President's Committee on Employment of the Handicapped, Washington, D. C., 1983).

14. True While the full time year-round labor force participation rate for disabled men was 22.3%, the participation rate for disabled females was only 7.4%. Laborforce Status and Other Characteristics of Persons with a Work Disability: 1982 Current Population Reports, Series P-23, No.127, U. S. Department of Commerce.
15. True U. S. Department of Commerce, Bureau of Census. "Money Income of the Households, Families, and Persons in the United States: 1983." Current Population Reports, Consumer Incomes Series P-60, No. 146.
16. True U. S. Department of Labor, Women's Bureau. United Nations Decade for Women, 1976-85: Employment in the U. S. Report for the World Conference on the United Nations' Decade for Women, July 1985.
17. True Fact Sheet No. 85-6, July 1985, U. S. Department of Labor.
18. True U. S. Department of Labor, Women's Bureau. United Nations Decade for Women, 1976-85: Employment in the U. S. Report for the World Conference on the United Nations' Decade for Women, July 1985.

THE FEDERAL AND STATE ROLES IN PROMOTING EDUCATIONAL EQUITY

THE FEDERAL AND STATE ROLES IN PROMOTING EDUCATIONAL EQUITY

Objectives:

- 1) To provide a "status report" on the changing roles of federal and state governments in fostering educational equity;
- 2) To provide an understanding of the Grove City College v. Bell decision and its implications; and
- 3) To illustrate the importance of state-level action in preserving equity-related achievements of the past and in accomplishing new equity goals in the future.

Procedure for Trainer:

The trainer should summarize the narrative materials illustrating the decline of the federal role in education. Particular attention can be devoted to Grove City College and its implications.

The importance of the state role in education should be stressed during this segment of the training. Where appropriate, the trainer might frame this discussion in terms of the participants' job responsibilities as well as their state's laws and policies.

Materials for Participant Activities:

EQUITY ACTION AT THE STATE LEVEL--Since the federal role in promoting educational equity has been declining in recent years, this exercise is important for helping participants focus on state solutions/remedies to existing inequities.

I. THE FEDERAL AND STATE ROLES IN PROMOTING EDUCATIONAL EQUITY

A. The Federal Role

"The federal government's share of the nation's total education expenditures has been cut from 9.2 percent in 1979-1980 to 6.2 percent in 1984-1985." (CDF, p. 228)*

Since 1981 the Reagan Administration has recommended zero funding for the Women's Educational Equity Act Program and, in some years, has recommended a rescission of existing appropriations.

"OCR will now rely on a good faith standard, rather than actual achievements, in measuring the success of desegregation plans...." (H.R. REP. 458, p. 23)

As these statements suggest, the federal role in education has been significantly reduced during recent years. This decline has been particularly severe with respect to federal efforts to promote educational equity for all students. Major policy changes, budget reductions, consolidation of education programs into block grants, less rigorous civil rights enforcement practices at the federal level, and the consequences of the U. S. Supreme Court's restrictive ruling in Grove City College v. Bell are indicative of this reduced role.

1. Budget Reductions

In keeping with its "new federalism" philosophy of decreased federal involvement, the Reagan Administration has repeatedly proposed major cuts in the federal education budget. In some cases, the Administration has recommended a total rescission of existing appropriations for education programs. Although Congress has not agreed to the Administration's proposals, in recent years it has appropriated funds at a slower growth rate than in the past. This slower rate, combined with the effects of inflation, have resulted in serious deficiencies in federal programs

* Citations to sources are referenced in the text by author and publication date. A complete list of references is included as Appendix A.

for the educationally disadvantaged. For example, the Children's Defense Fund reports that as a consequence of the federal decline in education funding, compensatory education programs served only 52 students for every 100 poor school-aged children in 1984, as compared to 75 per 100 in 1979 (CDF, p. 228).

Equity-related technical assistance programs have also suffered serious budget cuts. In six of its seven budget requests, for instance, the Reagan Administration has recommended zero funding for Title IV of the Civil Rights Act. Similarly, it has proposed zero funding for the Women's Educational Equity Act Program (WEEAP) in all seven budget requests. Congress rejected these recommendations, but did reduce appropriations for both Title IV and WEEAP. These programs are currently operating at low but minimally adequate levels.

Unfortunately, in this time of astronomical federal deficits, significant increases in the federal education budget are not likely. Lagging federal education support will, therefore, continue to threaten progress made in improving the educational performance of educationally disadvantaged students.

2. Program Consolidation

In addition to its proposed budget cuts, in 1981 the Reagan Administration recommended that dozens of categorical aid programs be consolidated into a state block grant program. Through such a consolidation, it was argued, state and local officials would be given greater program flexibility and federal resources would be conserved.

In 1981 Congress passed the Education Consolidation and Improvement Act (ECIA) which folded 28 categorical aid programs into a single block grant program. However, ECIA fell short of the Administration's goal since it retained as separate some programs recommended by the Administration for consolidation (e.g., Education of the Handicapped Act).

As anticipated, state and local school districts have far greater discretion in determining how they will spend federal education funds under ECIA than was possible under the categorical aid programs. However, while they are being allowed more discretion under ECIA, state and local districts are receiving less total funding than previously. Not surprisingly, this increased discretion and reduced funding has had a negative impact on efforts to promote educational equity. Cities with high minority populations have experienced particularly deep cuts in their federally funded programs. Frequently, the limited funds states receive are not used to support educational equity efforts. For example, according to CDF, a survey of Florida school districts found that 82% are using Chapter 2 (i.e., block grant) funds to buy computer equipment, while only 5% are using these funds for school desegregation initiatives (CDF, p. 229). This lack of attention to desegregation issues is particularly distressing given that the Emergency School Aid Act, which provided federal assistance for desegregation activities, accounted for approximately 30% of all categorical funds folded into the Chapter 2 block grant.

3. Civil Rights Enforcement

The Office for Civil Rights (OCR) in the U. S. Department of Education enforces four statutes which prohibit discrimination on the basis of race,

color, national origin, sex, disability, and age by recipients of federal financial assistance. Today's OCR is an outgrowth of the civil rights program established in the Office of Education of the U. S. Department of Health, Education, and Welfare (HEW) shortly after enactment of Title VI of the Civil Rights Act of 1964.

OCR's investigative program consists of two elements:

- investigation of complaints filed by individuals and groups on their own or others' behalf; and
- conduct of OCR-initiated compliance reviews of selected institutions.

Between 1972 and 1981, OCR performed a third investigative responsibility: enforcement of the civil rights provisions of the Emergency School Aid Act (ESAA).

Over a 20 year period, the nature of federal civil rights enforcement has changed drastically. In the 1960's a small staff focused virtually all its efforts on opening access to education to hundreds of thousands of black elementary and secondary school students. Two decades later, a much larger staff spends most of its time investigating complaints of discrimination against individuals. Unfortunately, today's complaints are much less likely to raise discrimination problems suffered by minority or low-income students (Brown and Reid, 1986).

OCR's effectiveness was recently evaluated by the House of Representative's Intergovernmental Relations and Human Resources Subcommittee. Among the findings included in the Subcommittee's report were the following:

- OCR and [the Department of Justice] have failed to obtain complete enforcement remedies in cases where serious violations of law were found;
- OCR will now rely on a good faith standard, rather than actual achievements, in measuring the success of desegregation plans, despite its internal findings that many systems of higher education have not eliminated the vestiges of illegal dual systems of education;
- OCR is studying methods to substitute technical assistance for compliance reviews, a switch that OCR's own policy and enforcement service considers illegal;
- OCR cannot ensure that more than 300 cases settled by early complaint resolution were resolved according to federal law and DOE's regulations...(H.R. REP. 458).

As indicated below, OCR enforcement has also been severely curtailed as a result of the narrow program-specific rulings in Grove City College v. Bell and Pickens County School District.

B. Grove City College v. Bell: The Decision and its Implications*

History of the Case

This case arose when Grove City College, which was not charged with sex discrimination, refused to sign an assurance form promising it would comply with Title IX. In refusing to sign the form, the College argued that although some of its students received federal grants to pay for their education, the College itself was not a recipient of federal financial assistance and, therefore, was not subject to Title IX. The U. S. Court of Appeals for the Third Circuit rejected this argument in its 1982 decision, holding that Grove City College was a recipient of federal financial assistance within the meaning of Title IX, and thus had to file the Assurance of Compliance form. Under the Court of Appeals decision,

* The U. S. Supreme Court's opinion can be found at 465 U.S. 555 (1984).

the entire College would be subject to federal oversight under Title IX. Dissatisfied with the Court of Appeals decision, Grove City College asked the U. S. Supreme Court to review its case. Reversing more than ten years of federal policy under both Democratic and Republican Administrations, the U. S. Justice Department argued before the Supreme Court that Title IX does not apply to the entire institution receiving federal funds but only to the specific program being funded.

The Supreme Court's Decision

In its decision the Supreme Court addressed three main issues.

1) Does Title IX apply to Grove City College at all? 2) If Title IX does apply, what "education program or activity" at the College must comply with Title IX's mandates? 3) Can federal assistance to the students be terminated solely because the College refuses to sign an Assurance of Compliance form as required under Title IX regulations?

The Supreme Court first concluded that Title IX was triggered in this case since some Grove City College students received federal grants to pay for their education. Title IX applied whether the federal funds went directly to the College or reached the College indirectly through financial aid to the students.

In identifying which "education program or activity" was subject to Title IX coverage, however, the majority opinion accepted the Reagan Administration's narrow interpretation of the law. The Court concluded that only Grove City College's financial aid office--not the entire institution was required to comply with Title IX's mandates.

Finally, the Court held that unless Grove City College executed an Assurance of Compliance, federal assistance being provided to its students could be terminated.

Implications of Grove City

First, the decision is undoubtedly a set-back to achieving educational equity for women and girls. According to the Supreme Court, Grove City College and other schools in a similar situation, may not discriminate on the basis of sex in their financial aid programs; they are, however, not prohibited from discriminating in their admissions policies, athletic programs, and other activities which are not directly supported by federal funds. For example, Justice Brennan points out in his dissent that Grove City College is now free to segregate male and female students in classes run by its mathematics department despite the fact that the affected students may be receiving federal assistance to pay for their education.

The Court's program-specific ruling will also have implications beyond the education field. Shortly after the Court announced its Grove City decision, William Bradford Reynolds, Assistant Attorney General for Civil Rights in the U. S. Department of Justice, stated that the decision would be applied to other federal antidiscrimination statutes having similar "program or activity" language. Consequently, the Court's narrow interpretation of "program or activity" is now being applied to the following statutes:

- Title IX of the Education Amendments of 1972 (prohibiting sex discrimination in federally assisted education programs and activities);
- Title VI of the Civil Rights Act of 1964 (prohibiting discrimination based on race, color, or national origin in federally assisted programs and activities);

- Section 504 of the Rehabilitation Act of 1973 (prohibiting discrimination based on disability in federally assisted programs and activities);
- Age Discrimination Act (prohibiting discrimination based on age in federally assisted programs and activities).

The consequences of the Grove City decision first became apparent at the University of Maryland within two weeks of the Court's decision. Although the Department of Education's Office for Civil Rights had found instances of sex discrimination in the University of Maryland's intercollegiate athletics program, charges against the University were dropped because the athletic program did not receive federal funds. Since that time, several other discrimination cases have suffered the same or a similar fate--by the end of 1985 more than 60 cases had been closed, limited, or suspended by the Department of Education as a result of the Grove City decision. The cases have involved Title VI and Section 504 claims as well as Title IX cases. Examples of the Department of Education's application of the Grove City decision to actual complaints are described below. (For additional information concerning these and other examples, see Project on Equal Education Rights, NOW Legal Defense and Education Fund, et al., "Injustice Under the Law: The Impact of the Grove City College Decision on Civil Rights in America" (1985).)

- A Northeastern University student filed a Title IX complaint alleging that Northeastern had no Title IX grievance procedure and that the University had failed to redress the student's sexual harassment complaint. The University had received federal funds through the federal College Housing Loan Program as well as through student aid.

OCR concluded that it could not investigate this complaint since the building in which the alleged discrimination occurred had not been built or renovated with federal loans. The case was put on "policy hold" at the Department of Education [OCR #01-84-2020].

- A University of Charleston maintenance worker claimed that he was a victim of employment discrimination based on his disability. Since 1979 the University had received in excess of \$3 million in federal education funds, including \$472,940 in federal student aid during the 1983-84 school year. Despite this federal assistance, OCR put

the maintenance worker's complaint on "policy hold" because the discrimination alleged was not connected to a specific federally-assisted program or activity [OCR #03-84-2040].

- Prior to the Grove City decision, OCR had found Title IX violations in Pickens County School District's physical education classes. OCR argued that it had authority to handle this case since the School District had received federal funds, including unearmarked Chapter 2 block grant monies.

Following the Grove City decision, however, a Department of Education review panel held that since no federal money was spent specifically for the physical education program, the complaint should be dismissed. Although OCR could have appealed the panel's decision to the Secretary of Education, it did not do so. (In the Matter of Pickens County School District and South Carolina Department of Education, Docket No. 84-IX-11).

As a result of this case, OCR has indicated that where Chapter 2 funds are the basis of OCR jurisdiction, the funds must be traced to determine whether any federal funds were spent where the alleged discrimination occurred. Contrary to a July 1984 OCR memorandum, there is no longer a rebuttable presumption that once a local education agency (LEA) accepts Chapter 2 funds, all of the LEAs' programs and activities are subject to OCR jurisdiction. (See Harry Singleton, Assistant Secretary for Civil Rights Memo to Regional Civil Rights Directors, December 30, 1985.)

- An administrative law judge recently ruled that school districts receiving federal Chapter 1 funds must comply with Title VI of the Civil Rights Act throughout the grades in which Chapter 1 services are offered or they will lose their Chapter 1 funds. In reaching this conclusion, the judge reasoned that Chapter 1 "so affects the regular classroom setting and the instruction of non-Chapter 1 students that these two programs are virtually impossible to separate." Consequently, the Chapter 1 funds would give OCR jurisdiction over the entire elementary and middle school instruction program.

On the other hand, the judge noted that since schools request Chapter 2 funds for specific purposes, these funds could be terminated only in specific areas where bias/discrimination is found. In this case, he concluded, only Chapter 2 funds for guidance, counseling, and testing could be withheld since only those funds were used in the school district's ability grouping practice which was found to violate Title VI.

This decision is being appealed to the U. S. Department of Education's Civil Rights Reviewing Authority. (In the matter of Dillon County School District No. 1, Docket No. 84-IV-16).

The Grove City program-specific ruling as interpreted by the federal government has greatly constrained the reach of federal antidiscrimination laws. OCR resources which could be spent investigating and resolving

complaints are now being used to track federal dollars in order to determine whether they have been spent in programs or activities in which discrimination has been alleged. If federal assistance cannot be traced to the program or activity, the complaint will not be investigated.

As indicated previously, more than 60 cases have been closed, limited or suspended as a result of the Grove City test. Most likely, the decision has also had a further "chilling effect" on discrimination claims. Recognizing obstacles they were likely to encounter in establishing OCR jurisdiction over their claims, potential complainants probably have been (and continue to be) discouraged from filing discrimination claims at all. Without remedial legislation, therefore, federal discrimination cases, if they are filed at all, will continue to be limited or closed without ever being investigated.

Legislative Responses to Grove City College v. Bell

Legislators and civil rights advocates were quick to respond to the Supreme Court's Grove City College decision. Identical bills, entitled "The Civil Rights Act of 1984," were introduced in the U. S. House (H.R. 5490) and Senate (S. 2568) in mid-April of 1984. The bills were intended to ensure broad coverage of Title IX of the Education Amendments of 1972 as well as broad coverage of the three other federal civil rights statutes having similar "program or activity" language: Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973 as amended; and the Age Discrimination Act.

Although the House passed an amended version of this civil rights measure, procedural delays prevented its passage in the Senate before

Congress adjourned in October 1984. Similar legislation was introduced in early 1985 as the Civil Rights Restoration Act of 1985. However, it was not passed by either the House or Senate.

Given the piecemeal or patchwork fashion in which civil rights statutes are currently being enforced at the federal level, the role of the states in civil rights enforcement has become particularly important.

C. The State Role

State-level attention to educational equity and children with extra educational needs has changed dramatically. A quarter century ago it could rarely be found. Since then numerous state antidiscrimination constitutional provisions and statutes have been adopted and, in many states, laws and programs have been enacted to achieve equity goals more far-reaching than federal civil rights laws and programs for disadvantaged students. At a minimum, every state funds some programs for children with extra educational needs. Most states proclaim a commitment to equity goals and several carry out their commitment effectively.*

At least 25 states provide funds for compensatory education programs. More than 25 require or permit bilingual education services to limited English proficient students. All states provide funds for special education programs for disabled students. A limited number provide vocational education funds directed specifically to females, minorities, and the handicapped.

* State sex equity laws are the focus of other FY '85 WEEAP-funded projects (e.g., "Project on State Title IX Laws"). CCSSO has, therefore, not provided a comprehensive compilation/analysis of such state laws in this manual.

In recent years, the states have assumed an exceptionally prominent role in education through their "excellence reforms". State legislatures have mandated stricter graduation requirements, longer school days, teacher testing, and other reforms designed to improve the quality of education provided to public school students. There is, however, concern among some educators, equity advocates, and others that recently-enacted reforms might discourage rather than assist educationally disadvantaged students. As one commentator suggests:

Reforms that create more time in school or higher standards--without salient changes in the schooling process that will increase learning for the disadvantaged--will likely increase dropout rates among those students who can scarcely hope to meet present standards. (Levin, p. 17)

Given the decline of the federal role in education, it is essential that SEAs take steps to ensure that all students receive an equitable education. Most likely, primary responsibility for taking these steps will be left to equity staff within the SEA. These individuals must promote programs and procedures that are responsive to the educational needs of diverse student populations. Section VI of this manual discusses how and why equity specialists can work cooperatively in meeting these educational needs.

EQUITY ACTION AT THE STATE LEVEL

As the federal role in promoting educational equity continues to decline, it is essential that SEA staff understand what state remedies to inequities exist. The following questions are intended to help you identify and apply state-level antidiscrimination mandates that are available in your state. The questions can be used as the basis of a group discussion or can be answered individually by participants and responses later compared and contrasted.

- What antidiscrimination statutes or constitutional provisions currently exist in your state?

- What types of discrimination are covered by the mandate(s) (e.g., sex, race, national origin, disability, and/or age discrimination)?

- Who is covered? Students? Teachers? Others?

- Are entire educational institutions covered or just certain programs within the institutions?

- Which state agency or agencies are responsible for enforcing the mandate(s)?

- How are discrimination claims filed under the mandate(s)?

- Who is eligible to file complaints?

- Are the state mandates more inclusive or less inclusive than Title IX? Section 504? Title VI? Age Discrimination Act? Please explain.

- How can SEA staff obtain copies of the state's antidiscrimination mandates?

- Does the SEA provide technical assistance concerning the application of the mandate(s)?

- What weaknesses or limitations exist in your state's existing antidiscrimination mandate(s)?

EQUITY-RELATED LAWS AT THE FEDERAL LEVEL

EQUITY-RELATED LAWS AT THE FEDERAL LEVEL

Objectives:

- 1) To provide an overview of federal laws and regulations addressing discrimination in education; and
- 2) To provide participants with an opportunity to analyze and propose solutions to equity-related problems.

Procedure for Trainer:

This section is intended to familiarize participants with nine federal equity-related laws and programs. Participants should be advised that in addition to complying with federal mandates, they must also comply with state laws, regulations, and policies. Relevant state legislation is generally available through the SEA equity office(s) as well as law libraries.

Materials for Participant Activities:

APPLYING THE LAW--This exercise is designed to encourage participants to recognize and resolve equity issues which might arise in their state.

APPLYING THE LAW--DISCUSSION GUIDE--The Guide identifies for the trainer issues to be addressed by the participants in the preceeding exercise.

EQUITY-RELATED LAWS AT THE FEDERAL LEVEL

Federal antidiscrimination legislation has provided a foundation for increasing educational equity for all students. These laws provide a legal framework and/or funds for identifying and eliminating bias, stereotyping, and discrimination in education. Through the enforcement of these laws, females and minority males as well as disabled persons have realized substantial gains in the education field. For example:

- Title VI of the Civil Rights Act has played a major role in desegregating Southern schools;
- Section 504 and the Education for All Handicapped Children Act ensure that disabled children will receive an appropriate education at public expense;
- As a result of Title IX, there are noticeable increases in female enrollments in traditionally male-dominated vocational education courses and programs.

Clearly, significant steps towards educational equity have been taken. However, the job has not been completed. Total equity still remains a goal rather than a reality.

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 (Title IX)

Title IX is the most far-reaching federal statute addressing sex discrimination in the schools. It was designed to eliminate discrimination on the basis of sex in policies, programs, and services of educational entities receiving federal financial assistance. Title IX states in part:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance....

Prior to Title IX's passage, "loopholes" in existing antidiscrimination legislation allowed educational institutions to discriminate on the basis of sex in their programs and policies. Many school districts, for example, expelled pregnant students as soon as the schools learned of the pregnancies; few of these young women ever returned to school. Without Title IX, female students were often excluded from certain vocational education courses reserved solely for male students; physical education courses were usually sex-segregated; interscholastic athletic programs were less developed for girls than for boys; and other gender-based practices were commonplace in the schools and the extracurricular activities they sponsored.

Implementing Regulations

Each federal agency funding educational programs or activities has authority to issue rules and regulations to implement Title IX. To date, the Department of Education (formerly the Department of Health, Education,

and Welfare) has played the lead role in Title IX enforcement. The Department of Education regulations can be divided into four major topics: 1) procedural mandates; 2) admissions and recruitment; 3) treatment of students; and 4) employment practices and policies. The following discussion provides a general overview of these regulations. In order to determine whether a particular educational entity is in compliance with Title IX, the statute (20 U.S.C. Section 1681-1686) and its regulations (34 C.F.R. Section 106 et. seq.) should be consulted.

- Procedural Mandates

Title IX's regulations set out certain compliance procedures which must be established and followed by education entities receiving federal financial assistance. Each recipient must, for example, develop and disseminate antidiscrimination policies, adopt grievance procedures for addressing student and employee complaints alleging Title IX violations, and sign an assurance of compliance with Title IX form. Compliance with Title IX and its regulations can be effected by the loss of federal funding or through "other means authorized by law" (e.g., a private right of action).

- Admissions and Recruitment

Title IX and its regulations also identify policies and practices which are prohibited in the admission and recruitment of students to vocational education and certain postsecondary institutions. These institutions may not, for example, rank applicants separately on the basis of sex, put limitations on the number or proportion of either sex who may be admitted, or administer admissions tests which have a disproportionately adverse effect on members of one sex unless the tests are valid predictors of success in the program and no alternative tests are available. Elementary and secondary schools are not bound by Title IX's admissions policies. As long as they are receiving federal financial assistance, however, schools that are exempt from the admissions requirements are not exempt from the obligation to treat students in a nondiscriminatory manner once they are admitted to the school.

- Treatment of Students

Title IX and its regulations provide detailed guidance on what constitutes sex discrimination in such areas as access to course offerings, counseling, use of appraisal materials, extracurricular activities, and housing facilities. Students must generally be assured nondiscriminatory access to these services, programs, and benefits provided by schools receiving federal assistance. Under some limited circumstances, however, institutions and activities may be exempt from Title IX's gender-based prohibitions. If, for example, the application of Title IX would be inconsistent with the tenets of a religious educational institution, that institution

would not be bound by the inconsistent Title IX prohibitions. Military institutions and certain school activities (e.g., social fraternities and sororities; boy or girl conferences; father-son or mother-daughter activities; certain sports) are also exempted from Title IX's single-sex prohibitions. If such activities are provided for one sex, however, it is important to ensure that reasonably comparable activities are available to students of the other sex.

● Employment Provisions

Title IX's regulations identify prohibited forms of discrimination in the employment policies and practices of educational entities receiving or benefitting from federal funds. Among the issues covered are: hiring, promotion, compensation, leaves of absence, fringe benefits, and job assignments. Although recipients of federal funds for education programs are generally prohibited from maintaining gender-based employment policies and practices under Title IX, in some limited cases sex may be a bona-fide occupational qualification (e.g., employment in a locker room used only by members of one sex).

Supreme Court Cases Concerning Title IX

The United States Supreme Court has addressed questions arising under Title IX on three occasions. In 1979 the Court indicated that under Title IX, victims of sex discrimination have a right to bring legal action directly against the school rather than rely on the federal administrative enforcement process. (See, Cannon v. University of Chicago, 441 U.S. 677 (1979).)

In 1982 the Court made clear that Title IX applies to employees as well as students at educational institutions. (See, North Haven v. Bell, 452 U.S. 512 (1982).)

The Supreme Court's most recent analysis of a Title IX provision was handed down in Grove City College v. Bell, 465 U.S. 555 (1984). In that decision the majority concluded that only the specific "program or activity" receiving federal assistance need comply with Title IX's mandates.

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (Title VI)

In spite of the 1954 U. S. Supreme Court decision in Brown v. Board of Education declaring segregated schools unconstitutional, federal funds continued to flow into segregated schools well into the 1960's. To ensure that federal monies would no longer be used to support such discriminatory practices, Congress enacted Title VI of the Civil Rights Act. Title VI provides:

No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The Title VI regulations describe the types of discriminatory practices that are prohibited, set forth requirements concerning written assurances of compliance, and describe federal enforcement procedures. If recipients of federal assistance do not voluntarily comply with Title VI, their federal funds can be terminated.

Title VI has been used to challenge such practices as separate hospital facilities and services for black patients, race-based student assignments, and the denial of appropriate educational services for limited English proficient students.

Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975 were all modeled after Title VI. The impact of each of these laws has been reduced as a result of the U. S. Supreme Court's Grove City College v. Bell decision.

THE EDUCATION OF ALL HANDICAPPED CHILDREN ACT OF 1975 (P.L. 94-142)

Federal involvement in the education of disabled children increased significantly in 1975 with the enactment of amendments to the Education of the Handicapped Act (EHA). These amendments are commonly referred to as "P.L. 94-142" or "The Education for All Handicapped Children Act of 1975". This legislation provides federal financial assistance to states for the education of 3 through 21 year old individuals who by virtue of physical or mental disabilities ranging from learning disabilities to severely disabling conditions require special education and related services. The amount of federal assistance provided to each state is based on the number of disabled children being served and is intended to pay a percentage of the excess costs associated with educating disabled children.

The law and its implementing regulations contain several key provisions addressing these concerns which must be followed by the states. The following discussion provides a summary of some key components of the law.

- A free, appropriate, public education must be made available for each disabled child. That is, special education programs and related services meeting each child's needs must be made available at public expense and under public supervision. "Related services" means services needed in order for the child to benefit from special education (e.g., physical therapy, speech pathology, and transportation). The U. S. Supreme Court has indicated that an "appropriate" education is one that is developed following the procedural requirements of P.L. 94-142 and is "reasonably calculated" to provide educational benefits for the disabled child. (See, Board of Education of the Hendrick Hudson Central School District v. Rowley, 458 U.S. 176 (1982).)
- In order to ensure that the educational program and services being provided are appropriate for each particular child, an individualized education program (IEP) must be developed for each child needing special education. The IEP, developed with the assistance of the child's parents, includes descriptions of the child's present performance level, educational goals to be achieved,

services to be provided, and evaluation procedures to be employed. Each child's IEP must be reviewed at least annually and, when necessary, updated in order to meet the child's changing needs.

- Disabled children must be educated in the least restrictive environment possible. That is, the law requires that to the maximum extent appropriate, disabled children should be taught with nondisabled children. Only when the nature or severity of the disability is such that education in the regular classroom cannot be achieved satisfactorily, even with supplementary aids and services, should the child be removed from the regular classroom.
- Due process procedures designed to safeguard the rights of the child's parents or guardians as well as the interests of the child must be in place. These procedural safeguards protect the parents' rights in matters relating to the identification, placement, and evaluation of their children. In addition, they provide a means for disputing decisions by school officials concerning their children.

The law and its regulations can be found at 20 U.S.C. Sec. 1401, et seq. and 34 C.F.R. Part 300, respectively.

SECTION 504 OF THE REHABILITATION ACT OF 1973

Although it is brief in actual language, Section 504 of the Rehabilitation Act of 1973 as amended has far-reaching implications. It provides in part:

No otherwise qualified handicapped individual in the United States....shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by an Executive agency or by the United States Postal Service....

Like Title IX, therefore, Section 504 is a civil rights law; it assures access for disabled individuals to federally-funded programs and facilities. Unlike Title IX, however, Section 504 is not limited in its application to the education field. Rather, it extends to any program receiving federal financial assistance (e.g., health and social services). Section 504 requires different treatment of a disabled person where different treatment is necessary to accommodate the disabling condition (e.g., structural changes or classroom reassignments to allow disabled individuals access to courses).

With respect to the special education field, Section 504 and EHA have "overlapping jurisdiction". That is, both require that a free, appropriate public education be provided for disabled children. Section 504's regulations, in fact, provide that compliance with EHA's mandates is one means for school systems to comply with Section 504's requirements concerning the development of individualized education programs, procedures for re-evaluating students, and establishment of procedural safeguards.

Section 504 and EHA are, however, not identical. Section 504, for example, addresses issues and populations not covered by EHA (e.g., postsecondary and adult education). In addition, while EHA defines a handicapped child in terms of the child's need for special education and related services, Section 504's definition speaks in broader terms, covering people with physical or mental impairments which substantially limit their major life activities. Unlike EHA, no funds are available under Section 504 to carry out its mandates.

For a thorough understanding of Section 504, see the Rehabilitation Act of 1973 as amended (29 U.S.C. Section 794) and its implementing regulations (34 C.F.R. Part 104).

TITLE IV OF THE CIVIL RIGHTS ACT OF 1964 (TITLE IV)

Title IV was originally enacted to provide technical assistance and training services to school districts needing help in their desegregation efforts. The program was subsequently expanded to include assistance related to national origin and sex discrimination.

Title IV provides federal funding for: 1) education agency staff "to render technical assistance...regarding effective methods of coping with special educational problems occasioned by desegregation"; 2) training institutes at universities for teachers and other school personnel; and 3) local projects providing inservice training for teachers and other school personnel to advise on desegregation-related issues.

In six of its seven budget requests, the Reagan Administration has proposed zero funding for Title IV. Congress, however, has disagreed with these budget recommendations and has funded the program at low but minimally adequate levels. Congress appropriated \$24 million in FY '82 through FY '86.

WOMEN'S EDUCATIONAL EQUITY ACT (WEEA)

The Women's Educational Equity Act was enacted by Congress in 1974 to help remedy discrimination against women and girls in the educational system. Unlike Title IX, WEEA is not a civil rights statute; it is a funding program. Under WEEA, grants and contracts are awarded each year for the development, demonstration, and dissemination of model educational equity products and programs. Public agencies, private nonprofit agencies, organizations and institutions as well as individuals are eligible for WEEA funding.

In 1981 the Reagan Administration recommended that WEEA be incorporated with other education programs in a block grant. Congress, however, elected to maintain WEEA as a separate federal program. Since that time, the Administration has proposed zero funding for WEEA and, in some years, has recommended a rescission of existing appropriations. Congress has continued to appropriate funds for the program, although at minimal levels

WEEA is currently authorized through FY '89 at authorization levels ranging from \$10 million in FY '85 to \$20 million in FY '89.

THE CARL D. PERKINS VOCATIONAL EDUCATION ACT

In 1976 Congress directed that federally-funded vocational education programs eliminate sex bias and stereotyping. It also created a sex equity coordinator position in each state to oversee state efforts to reduce barriers for women and girls in vocational education programs. In 1984, Congress strengthened provisions for women and girls with the enactment of The Carl D. Perkins Vocational Education Act. Every title of the Act encourages states to support programs and strategies dealing with sex equity issues. The Act also strengthens the sex equity coordinator position and authorizes millions of dollars to be spent for training, research, demonstration programs, and other services for homemakers, single parents, and women seeking nontraditional jobs.

The following setasides of funds for sex equity and programs with specific provisions concerning women are included:

- sex equity coordinator;
- single parents and homemakers;
- sex bias and stereotyping in nontraditional fields;
- adult training, retraining, and employment development; and
- career guidance and counseling.

There are also five "special programs" each with relevance to women and girls which require separate annual appropriations by Congress. They include the community-based organization program, consumer and homemaking education, adult training/retraining, career guidance and counseling, and the high tech industry partnership.

CHAPTER 1 OF THE EDUCATION CONSOLIDATION AND IMPROVEMENT ACT

Chapter 1 of the Education Consolidation and Improvement Act (formerly Title I of the Elementary and Secondary Education Act) was enacted by Congress to meet the needs of economically and educationally disadvantaged students. It is the largest federal aid program for elementary and secondary schools. Chapter 1 funds are directed to schools with the highest concentration of students from low-income families. These funds can be used for such purposes as salaries for teachers and aides working with disadvantaged students, the purchase of special materials and equipment to assist disadvantaged students, and training programs to better prepare teachers serving students needing special assistance. Chapter 1 funds are intended to provide extra help for children whose academic performance is below that of other children their age. These funds should, therefore, not be used to supplant regular education funds.

Chapter 1 also includes funding for programs serving institutionalized disabled children, neglected or delinquent children, and children of migratory workers.

BILINGUAL EDUCATION ACT

In October 1984, Congress authorized the Bilingual Education Act as Title II of the Education Amendments of 1984. The Act authorizes grants for the following new types of programs:

- Programs of Academic Excellence;
- Developmental Bilingual Education (to help English proficient and limited English proficient [LEP] students learn English and a second language while mastering subject matter skills);
- Family English Literacy (to help parents and adult relatives of LEP students learn English); and
- Bilingual preschool, special education, and gifted and talented education.

The new law also allows set-asides for "Special Alternative Instructional Programs" in which LEP students need not be given instruction in their native language.

Funds are awarded on a competitive rather than an entitlement basis. The Act is administered by the U. S. Department of Education's Office of Bilingual Education and Minority Language Affairs.

<u>Federal Equity- Related Law</u>	<u>Purpose</u>	<u>Who Enforces/ Administers Within U. S. Dept. of Ed.</u>	<u>Type of Statute</u>	<u>Where Can It Be Found?</u>
Title IX of the Education Amendments of 1972	eliminate sex dis- crimina- tion in educa- tion	Office for Civil Rights (OCR)	civil rights	20 U.S.C. Sec. 1681-86
Title VI of the Civil Rights Act of 1964	eliminate race/na- tional origin discrim- ination	OCR	civil rights	42 U.S.C. Sec. 2000d
Section 504 of the Rehabilitation Act of 1973	eliminate disabili- ty dis- crimina- tion	OCR	civil rights	29 U.S.C. Sec. 794
Education for All Handicapped Children Act (P.L. 94-142)	to ensure appro- priate special education & related services	Office of Special Education & Rehabili- tative Services	quasi- civil rights/ funding	20 U.S.C. Sec. 1401, <u>et seq.</u>
Title IV of the Civil Rights Act of 1964	encourage technical & assistance & training re: race, national origin, sex equity issues	Equity Training & Technical Assistance Office	funding	42 U.S.C. Sec. 2000c, <u>et seq.</u>
Women's Educational Equity Act	encourage educa- tional equity for women & girls	Women's Ed- ucational Equity Act Program	funding	20 U.S.C. Sec. 3341, <u>et seq.</u>

<u>Federal Equity- Related Law</u>	<u>Purpose</u>	<u>Who Enforces/ Administers Within U. S. Dept. of Ed.</u>	<u>Type of Statute</u>	<u>Where Can It Be Found?</u>
Carl D. Perkins Vocational Education Act	promote high quality voc ed programs, with par- ticular attention to special needs pop- ulations	Office of Vocational & Adult Education	funding	20 U.S.C. Sec. 2301, <u>et seq.</u>
Chapter 1 of the ECIA	provide extra help for eco- nomically and educa- tionally disadvan- taged students	Compensa- tory Educa- tion Office	funding	20 U.S.C. Sec. 3801, <u>et seq.</u>
Bilingual Education Act of 1984	ensure equal ed- ucational opportun- ity for students and meet the educa- tional needs of limited English proficient individuals	Office of Bilingual Education and Minority Language Affairs	funding	20 U.S.C. Sec. 3221, <u>et seq.</u>

APPLYING THE LAW--A WORKSHEET

Described below are a number of situations that might occur in a state or local education agency. Please read each situation and decide what, if any, equity issues are presented. Also, identify any federal and/or state equity law that might come into play.

Case #1

Teresa, a tenth grade student, is pregnant. According to her school district's policy, Teresa must bring a note from her physician stating that Teresa is physically and emotionally capable of participating in the regular education program.

Case #2

The following chart illustrates reported data concerning State A's elementary and secondary special education population. What inferences might be drawn from this data?

	<u>Am Ind</u>	<u>Asian</u>	<u>Hisp</u>	<u>Black</u>	<u>White</u>	<u>Total</u>	<u>Male</u>	<u>Female</u>
Enrollment	.5%	2%	7%	31%	69.5%	100%	51%	49%
EMR ¹	.5%	.5%	2%	64%	33%	100%	63%	37%
TMR ²	1.5%	.5%	8%	60%	30%	100%	61%	39%
ED ³	.5%	1%	6%	38.5%	54%	100%	70%	30%
LD ⁴	.5%	2%	8%	27.5%	63%	100%	72%	28%

¹Educable mentally retarded

²Trainable mentally retarded

³Emotionally disturbed

⁴Learning disabled

Case #3

Eight percent of State B's elementary/secondary school population consists of limited English proficient students. These students are provided the same facilities, textbooks, teachers, and curriculum as all other students. In response to parents' complaints, the state argues that due to limited financial resources, no special treatment or educational services can be provided for such a small percentage of the student population.

Case #4

Regular school buildings in District Z have narrow doorways, stairs, and other physical barriers making it difficult for some disabled students to move around the buildings. These students are, therefore, taught in separate buildings where they can move to and from classes more easily.

Case #5

Ms. Anderson believes she was illegally denied a promotion within the SEA. When she requests information concerning the SEAs' procedure for filing a grievance, Ms. Anderson is told no such procedure exists.

Case #6

Susan, a fourteen-year-old, is adjudicated delinquent and sent to a juvenile correctional facility for six months. Although she had received special education services prior to her adjudication, Susan has received no such services since entering the correctional facility. When Susan's parents complain, they are told that due to a lack of resources, the facility is unable to provide special education services for juveniles confined for less than one year.

APPLYING THE LAW--DISCUSSION GUIDE

The following issues should be addressed in discussing the hypothetical fact situations presented. Participants should also be encouraged to identify other issues as well as state laws and policies they believe are relevant to the hypotheticals.

Case #1

Under Title IX's regulations, such a physician's approval would be acceptable only if such approval is required of all students for other physical or emotional conditions requiring the attention of a physician.

Case #2

In reviewing special education data, one should note whether any groups are overrepresented or underrepresented in special education categories relative to their enrollment in the student population overall. For example, in the hypothetical data presented, blacks make up 64% of BMR classes but only 31% of the overall student population. On the other hand, while females make up 49% of the overall student population, they are only 28% of LD classes. SEA staff reviewing this data should explore why these discrepancies exist. Have biases, discrimination, and/or different expectations of teachers and other professionals who identify students as disabled resulted in the overrepresentation of some groups and the underrepresentation of other groups in special education?

Case #3

The same basic issue was raised in the 1974 U. S. Supreme Court decision, Lau v. Nichols. The Court concluded:

Under these state-imposed standards there is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.

While the Court found that some type of special instruction for non-English speaking students was required, it did not mandate a specific instructional approach.

At the federal level, limited English proficient students' rights are currently protected by Title VI of the Civil Rights Act and the Equal Educational Opportunity Act.

Case #4

Section 504 of the Rehabilitation Act prohibits the placement of disabled students in separate facilities simply because the regular school building has architectural barriers making it difficult for students to move about easily. Accommodations (e.g., ramps; reassignment of classrooms) should be made to make the regular school building accessible to all students. Section 504 applies to programs and activities receiving federal financial assistance.

Case #5

The Title IX regulations require that recipients of federal financial assistance adopt and publish a grievance procedure providing for "the prompt and equitable resolution of student and employee complaints alleging [violations of Title IX]". Each recipient must also designate at least one employee to investigate complaints alleging noncompliance. Students and employees must be notified of the name, office, and telephone number of the employee(s) handling the complaint process.

Section 504's regulations also require recipients of federal assistance employing fifteen or more persons to establish a grievance procedure for resolving alleged violations of Section 504.

Case #6

The 1975 amendments to the Education of the Handicapped Act (P.L. 94-142) were enacted to ensure all disabled children the right to "a free, appropriate public education". The reach of this legislative mandate does not stop at the correctional facility door. Rather, its regulations specifically state that the mandate applies to all political subdivisions of the state that are involved in the education of disabled children, including state correctional facilities. Juveniles housed in correctional facilities are, therefore, entitled to the same special education protections guaranteed to other disabled youth served by state and local education agencies.

The regulations further provide that the state education agency is responsible for ensuring the availability of special education services for disabled youth, regardless of which agency actually provides the services.

PERSISTENT INEQUITIES

PERSISTENT INEQUITIES

Objectives:

- 1) To have participants cite examples of inequities in student (and employee) access to, treatment within, or benefits from educational institutions based on characteristics of race, ethnicity, sex, and disabling condition;
- 2) To have participants develop an awareness of present and emerging equity issues and concerns characteristic of females, racial and ethnic minorities, and the disabled outside their respective equity area; and
- 3) To have participants identify inequities experienced by one or more student groups in their state and propose a cooperative approach reflective of multiple equity areas (e.g., sex, race, national origin, disability) for addressing these inequities.

Procedure for Trainer:

In this chapter national data reflecting inequities in our nation's schools are presented. Where appropriate, research is also presented to provide a framework for the data and suggest directions for interventions. Question inserts are provided to generate discussion and help participants translate the general information presented to the particular issues of their own state and equity area(s).

Where possible, data presented should be augmented with state and local data to create a more accurate picture of the discrimination and inequities which persist. Also, where possible, data should be disaggregated by sex within race, ethnicity, and disability in order to illustrate within group disparities (e.g., course enrollment patterns for white and nonwhite girls). Participants should be encouraged to identify inequities common to the respective student groups and compare and contrast the respective strategies (including sources of funds) and interventions used by equity specialists to address these inequities. Finally, where persistent inequities exist, there is need to assess the

problem in light of the differential and compounding effect of simultaneous group memberships. This term arises from the reality that all people are members of one or more status groups.

Throughout, targeted and integrative approaches among equity specialists should be promoted. The overall goal of the chapter is to increase awareness of inter- and intra-group similarities and differences and bring to bear the collective knowledge of equity specialists and programs targeting students with extra educational needs.

Materials for Participant Activities:

These materials have been placed at the end of this chapter.

- Small Group Activity
- Tables/Figures for Handouts or Projected Visuals

Table 1. Labor Force Participation Rates of Women by Presence and Age of Children, Race, and Hispanic Origin, March 1985

Figure 1. Percent of Poor Children from Different Family Backgrounds

Table 2. Growth in Families Maintained by Women, 1970, 1980, and 1984

Table 3. Median Weekly Earnings of Families by Type, 1984 and 1980

Table 4. Educational Attainment of Householders in Families, March 1984

Table 5. Average Weekly Earning, Full-Time, Year-Round Workers, Fourth Quarter, 1985

Table 6. Median Years of Schooling of Women in the Population and Labor Force, 1960-80

Table 7. Unemployment Rates, 1984

Table 8. Unemployment Rates by Race and Educational Attainment, 1983

Table 9. Poverty Rates of Families by Race, 1983

PERSISTENT INEQUITIES

Introduction

Over the past two decades great progress has been made in opening access to and increasing equity in public education. Still, not everyone gets the same chance to receive an adequate education. Dramatic disparities continue to exist among students and employees because of their race, ethnicity, sex, and disabling condition in access to, treatment within, and benefits from educational institutions.

Some of these disparities are the result of discriminatory practices, either intentional or unintentional. Other inequities result from nondiscriminatory factors or for unknown reasons. Whether the inequities are illegal or not, they are problems which urgently need to be addressed.

As important as education is for its own sake, the consequences of inadequate education for adults and society as a whole are even greater. While poor education cannot be held entirely responsible for the poverty, underemployment, ill health, imprisonment, or unstable family situations in which some adults find themselves, the facts show that groups suffering most from inadequate education are more likely to suffer these conditions as adults.

In this chapter, two types of information are presented: 1) selected social and economic background data on the status of women; and 2) data which indicate inequities in our nation's public schools. Where possible, effort is made to:

- 1) compare and contrast the relative status among women of differing racial, ethnic, and disability groups; and

- 2) assess the inequities experienced by different groups from the perspective of "simultaneous group membership."

(The latter term arises from the reality that all people are members of one or more groups based on characteristics of race, sex, ethnicity, disability, etc.) The data are presented to give equity specialists a perspective on equity issues outside their own area of expertise and to help identify areas and issues of common concern among equity areas.

Much of the education data comes from the Office for Civil Rights (OCR) Elementary and Secondary School Civil Rights Survey. Since the 1976-77 school year, OCR has conducted this survey biannually in October, although it was delayed beyond October in fall 1984. With the help of an outside contractor, OCR made national projections using its 1980-81 and 1984-85 survey data. Since it has not made national projections with the 1982-83 survey data, the 1980-81 data remains a primary source. National projections for some 1984-85 data became available shortly before this manual went to press. Consequently, both 1980-81 and 1984-85 OCR data are used.

A. Social and Economic Inequities Facing Women

In recent years, women have made advances in labor force participation, educational attainment, and entry into a variety of careers and occupations. Between 1947 and 1980, the number of women in the labor force increased by 173% from 16.7 million to 45.6 million. By 1980, greater than half of adult women worked compared to about one-third in 1950. The greatest increases in labor force participation have been among women with preschool age children. (Bianchi and Spain, 1983)

Black mothers continue to be more likely than white mothers to be in the labor force, but the gap has narrowed significantly and there is little or no difference in labor force rates of black and white mothers with school age children. The participation rates for Hispanic mothers remained well below those of whites and blacks. In 1985, the labor force participation rates were 54%, 56%, and 50% for white, black, and Hispanic women, respectively. (U. S. Department of Labor, Bureau of Labor Statistics, September 19, 1985) (See Table 1, "Labor Force Participation Rates of Women by Presence and Age of Children, Race, and Hispanic Origin, March 1985.)

In 1984, the educational attainment of female workers (12.7 median years of school) rivaled that of male workers (12.8). And although more women workers (25 to 64 years old) have completed high school than men workers, a greater proportion of men than women have college experience. (U. S. Department of Labor, Women's Bureau, July 1985)

Finally, women in larger numbers than ever before are training and working in vocations and professions which were largely all male a few years before.

These accomplishments, however, have not been uniform for all women. These accomplishments also suffer in comparison to the status of men on a number of indicators. Also, where inroads have been made in minimizing some of the longstanding inequities experienced by women, other inequities have surfaced.

For example, female poverty is on the rise. Two out of three poor adults are women as are 75% of the elderly poor. (League of Women Voters,

1984) Child poverty especially among female-headed households and ethnic minorities is widespread. (Congressional Research Service/Congressional Budget Office, 1984) (See Figure 1, "Percent of Poor Children From Different Family Backgrounds.")

Though showing signs of decline since 1981, the rate of teenage pregnancy in the United States is the highest rate in the developed world. Adolescent parenting, especially for poor and minority girls, is almost tantamount to poverty and limited educational attainment. Of the 1.1 million teen mothers in the U. S., over 670,000 have not finished high school. (Teen Pregnancy, 1981) Pregnancy and/or marriage are major reasons for dropping out of school among girls. In 1982, 52% of parenting adolescents were single mothers and three out of four single mothers under the age of 25 lived in poverty. Teenagers from low-income families, who lack basic skills and have poor employment potential are especially at risk of single parenthood hence perpetuating the cycle of poverty and limited educational attainment among their own children.

Because of the increased divorce rate, women have become more dependent on their incomes, and their share of financial responsibilities for children has risen. Between 1970 and 1984, the number of families maintained by women increased 84%. Female-headed households, representing 10.3 million families accounted for 16% of all families. (See Table 2, "Growth in Families Maintained by Women, 1970, 1980, and 1984.")

Among families maintained by women, 36% had incomes which placed them below the U. S. poverty level. These families were three times more likely than all families and five times more likely than married couple families to be in poverty. (U. S. Department of Labor, July 1985) (See

Table 3, "Median Weekly Earnings of Families by Type, 1984 and 1980.")

Characteristics of women workers who head families explain in part the high incidence of poverty in female-headed households. These characteristics include: higher unemployment, lower educational attainment, more dependent children, and lower earnings when compared with other labor force groups. (U. S. Department of Labor, Women's Bureau, July 1985) (See Table 4, "Educational Attainment of Householders in Families, March 1984.") In 1983, black and Hispanic female heads of household showed lower median earnings, lower median ages, lower labor force participation rates, and higher unemployment rates than white women.

Although failure to attain a secondary education has negative economic benefits for the individual and society, females who fail to attain a secondary level education are more greatly impacted than similarly situated males.

- In 1982-83, 50% of all children in single female-headed families lived in poverty when the mother had graduated high school. If the mother had not completed high school, the proportion of children in single female-headed households living in poverty was 81%. (Congressional Research Service, 1985)
- In 1983, females who had completed four years of school earned an average 25% less than males with one to three years of high school (\$18,061 vs. \$13,413). In fact, females with four or more years of postsecondary education had lower average earnings than the average earnings of males who had only completed high school (\$20,536 vs. \$20,869). (U. S. Department of Commerce, 1983)
- Among females 25-64 years of age, 61% of high school graduates, but only 44% of nongraduates (i.e., with one to three years of high school) were employed as of March 1985. For males, the differences in employment status were less dramatic: 84% of male high school graduates and 73% of male nongraduates were employed. (U. S. Department of Labor, 1985)

For females, attainment of a high school diploma does not guarantee equitable opportunities for success and employment. With less than a high

school degree, their chances are further diminished.

In spite of efforts to integrate the work place, women continue to be concentrated in a narrow range of low-paying occupations. Among the top ten jobs held by women--secretary, cashier, bookkeeper, registered nurse, waitress, elementary school teacher, nursing aide, sales worker, sales supervisor/proprietor, and typist--almost all are relatively low-paying.

In 1981, approximately 99% of all secretaries, 97% of registered nurses, 84% of elementary school teachers, and 86% of librarians were female. (Employment and Earnings, January 1984) In 1984, women continued to be underrepresented in the higher paying professions and skilled trades, accounting for 16% of lawyers and physicians, 6% of engineers, 5% of machinists, 3% of mechanics and repairers, and 1% of plumbers. (U. S. Department of Labor, Women's Bureau, 1985)

A recent study by Stanford University economist Victor Fuchs (Washington Post, April 18, 1986) notes that despite antidiscrimination legislation and some gains in the labor market, women are no better off economically than they were 25 years ago. According to the U. S. Department of Labor, in 1984 women who worked full-time, year-round, earned, on average, less than two-thirds of what men earned--a wage gap that has not changed significantly over the last 50 years. (A comparison of the average weekly earnings of men and women by selected race for 1985 is shown in Table 5.)

Access to "nontraditional" jobs has been viewed as one method of narrowing the wage gap between women and men, but data show that even when men and women have similar occupations, women still receive lower wages.

Despite the present and historical realities of the wage gap and the continued segregation of women in a narrow range of careers, recent studies indicate that many college-going females do not acknowledge or fully understand the barriers to their success in the world of work. According to a study by Kansas State Professor Evelyn Hausmann of women who have been in the work force for at least 10 years, "most women initially think they will be rewarded mainly on the basis of merit, but many of them realize later on this is not true." Forty percent of college women surveyed in a study by Anne Machung at the University of California-Berkeley expected to earn as much as their partners, with 13% expecting to earn more. (College Press Service, April 17, 1986)

Occupation segregation, gender, and wage discrimination continue as barriers to economic independence for women and their families. For minority and/or disabled women, racism and other biases further compound these barriers.

Black Women. Although the median years of schooling for black women has increased dramatically from 8.6 years in 1960 to over 12 years by 1984, black women have made only modest occupational gains. For them, education has not necessarily proved to be an effective shield against unemployment; a guarantor of access to the more preferred, high-paying professions; or enhanced their employment position relative to white women. (See "Comparison of Median Years of Schooling for Black and White Women, 1960-80", Table 6.)

In 1984, the unemployment rate for adult black women was more than twice as great as the unemployment rate for white women. For black female teenagers, it was almost three times as great as for white female

teenagers. Except for periods of recession in the early 1980s, the unemployment rate for white women has declined since 1975, but the unemployment rate for black females has continued to rise. (See Table 7.)

The greatest employment differences between black and white women are found in the age groups with the smallest differences in educational attainment. Moreover, the ratio of black to white unemployment rates increases as education increases. Jones (1986) found that white women are generally able to move into more desirable jobs with fewer years of schooling than black women, and that black women with increased education have more trouble moving out of undesirable ones. (See Table 8, "Unemployment Rates by Race and Educational Attainment.")

Although the median income level for black women working full-time, year-round in 1983 was almost comparable to that of similar white women (\$13,000 compared to \$14,677), great disparities persist in the incomes of black families (\$14,506) and white families (\$25,757). This is in part due to the disproportionately large number of female-headed households among black families. (See Table 9, "Poverty Rates by Families, by Race.")

Almost 43% of black families are maintained by women. Greater than half (54%) of these families live in poverty and 47% of black children are poor. (U. S. Department of Labor, Women's Bureau, July 1985) Black women who maintain families are less likely than whites to be in the labor force and twice as likely to be unemployed. (U. S. Department of Labor, Bureau of Labor Statistics, 1986)

Hispanic Women. As a group, Hispanic women in the United States are

young, diverse, and many are economically at-risk. Their median age in 1980 was 23.8 compared to 32.9 for white women, 26.1 for black women, and 27.3 for other minority women. The Hispanic population is not homogeneous. In 1980, the female Hispanic population in the U. S. was comprised of Mexican Americans (59%), Puerto Ricans (14%), Cubans (6%), and Hispanic women from the Caribbean, Central, and South America (22%). (DeNavos and Fernandez, 1984)

According to Perez (1984), each subgroup has its unique characteristics:

- Cuban women tend to be older than other Hispanic women, better educated, and likelier to be employed.
- Puerto Rican women are the youngest, the least likely to have a spouse present, the most likely to be the head of household, and the most likely to be unemployed or underemployed.
- Mexican American women are slightly older than Puerto Rican women, less metropolitanized, and less educated.
- Central American women are likely to be recent immigrants from rural areas of war-torn countries, live alone or in non-family units, to be undocumented, to have less education than the above mentioned groups, and less likely to ask for assistance from government linked programs.
- South Americans are more proficient in English, have attained higher levels of education, are likely to have entered the United States through immigration channels, and have greater representation in the skilled labor force than the above mentioned groups.

About 50% of Hispanic women were in the labor force in 1984 compared to 54% for all women. (U. S. Department of Labor, Women's Bureau, 1985) Conversely, unemployment rates for Hispanic women were almost 4% above rates for all women. Labor force participation rates differed by ethnic groups: Puerto Rican women had the lowest rate at 38%; Mexican American women, 51%; and Cuban women, 55%. Although Hispanic women have lower median years of school completed (11.4 years) than all women (12.6 years),

the gap is closing due to higher attainment levels of young Hispanic women. (Ibid.)

About 23% of Hispanic families are headed by women--more than half of these families (54%) have incomes below the U. S. poverty level. The 1983 median income of Hispanic women with full-time, year-round jobs (\$11,874) was significantly lower than that of similar white women. However, Hispanic women in professional occupations (likely to be Cuban) have median incomes comparable to that of white women. (Ibid.)

Other Minority Women. American Indians and Asian and Pacific Islanders represent a small but growing part of the female labor force. Data are limited on these groups due to the relatively small size of their numbers. They are very diverse and it is difficult to summarily characterize each group.

For example, Japanese American women have high educational attainment rates (almost 80% have completed at least high school) and low unemployment rates. Approximately 40% were in the labor force in 1983. Approximately 12% of Japanese American families are maintained by women. Of this group less than 10% have incomes below the poverty level. Chinese American women also have high education attainment rates--more than 67% of women 25 years and older have completed high school. Although the majority work, fewer than one-fourth are in the full-time, year-round labor force. Fewer than 10% of Chinese American families are maintained by women. (U. S. Department of Labor, Women's Bureau, July 1985) A 1980 U. S. Civil Service Commission report (Federal Women's Programs) found that Asian and white women earned the highest wages compared to other groups of women.

Japanese and Chinese American women differ from Indochinese women of Vietnam, Laos, and Cambodia, the majority of whom came to the United States between 1975 and 1980. Indochinese women represent various educational backgrounds and many are non-literate or semi-literate in their first language. They also differ economically from other Asian American groups. For example, in 1979, more than one-third of Vietnamese families were in poverty. (Langelier, n.d)

In 1980, about one-quarter of a million American Indian women were in the labor force--about half of all American Indian women over the age of 16. Approximately 40% of these women worked full-time, year-round jobs. Households maintained by women represented about 40% of all families in poverty. Compared to other female groups, American Indian women have limited educational attainment and limited employment options. Among American Indian women, only 54% are high school graduates. (U. S. Department of Labor, Women's Bureau, July 1985)

Disabled Women. Some of the strongest evidence of discriminatory practices in the educational opportunities available to disabled women is found in data on the economic and social realities facing disabled women when they leave school. After 12 years of public education, disabled women all too often find themselves ill-equipped to do anything but remain in the family home, if that is an option, or be institutionalized. In the population of disabled persons aged 16-64, although 35% of disabled females compared to 31% of disabled males completed high school, only 6% of disabled females and 10% of disabled males completed four plus years of college. Disabled women are less likely than nondisabled women to marry. When they do marry they are likely to marry later, and are more likely to

become divorced. (Bowe, 1983) Yet, little is done to enable them to live, by choice or necessity, self-fulfilled, independent lives.

While disabled men and women both face discouraging employment prospects, if the disabled individual is a woman, the prospects for economic self-sufficiency are particularly grim. Wage discrimination based on gender is further compounded by disability. Bureau of the Census statistics for 1982 show the mean earnings for all workers in 1981 as follows: nondisabled men, \$17,481; disabled men, \$13,863; and disabled women, \$5,835. (U. S. Department of Commerce, 1982) Women of color with disabilities have even more distressing levels of unemployment and low income. Most disabled persons, however, do not have jobs in the paid labor force. In 1981, the percentage of work disabled men in the paid labor force employed year-round, full-time was only 22.3%. This proportion is three times that for work disabled women--a meager 7.4%. (U. S. Department of Commerce, 1982) The plight of the disabled woman, striving to realize her maximum potential as a productive, self-sufficient individual, results in large part from a widespread attitude that although the disabled man must become self-supporting, the disabled woman will somehow be cared for and protected. The statistics reveal a very different reality for the disabled woman.

Question insert:

- Given the persistent inequities detailed above, what strategies or interventions can equity specialists employ to off-set these inequities?
 - Identify a particular at-risk student population of female students. How are their needs presently being addressed to avoid the potential inequities they may face as adults?
-

B. Discrimination and Inequity in Elementary and Secondary Schools

1. Enrollment

In 1982, there were almost 45 million students enrolled in elementary and secondary schools in the United States.

- About 90% of these students were enrolled in public schools. (U. S. Department of Education, 1984)
- In 1984, 29% of the public school students were minority--16% were black, 9% Hispanic, 3% Asian, 1% American Indian--and 71% were white.
- Males were 51% of the students and females 49%.
- Handicapped students were about 10% of the total. (OCR, 1986)

Among the major demographic trends impacting public education are increases in minority student enrollment, particularly in large city schools. Between 1970 and 1980, minority enrollment nationwide increased from 21% to 27% of total enrollment. In 25 of the largest city school systems, these increases were ever more dramatic: Boston, Denver, Portland, San Diego, and Seattle doubled their proportion of minority students; Atlanta, the District of Columbia, Newark, and San Antonio have enrollments greater than 90% minority. (U. S. Department of Education, 1985) At present, half of the states have school populations which are greater than one-fourth non-white. It has been projected that within the next decade the public schools of as many as ten states will have "minority majority" enrollments. (Hodgkinson, 1985)

School populations will show greater diversity. This diversity will be reflective of the higher birth rates associated with Hispanics and blacks and the wave of recent immigrants, most of Asian and Pacific Island as well as Hispanic origin.

Question insert:

- Is increasing racial and ethnic diversity in the schools a factor in your state?
 - How will the increasing diversity affect your present sex, race, national origin, and/or disability equity program?
-

2. Racial and Ethnic Isolation

The push for school desegregation in the courts and ultimately by the Executive Branch has continued through much of this century. However, outside the south, progress has been modest. In parts of the country racial and ethnic isolation is growing.

Most minority students in 1980 attended schools in which over half the other students were also minorities.

- In 1980, 65% of minority students--63% of blacks, and 68% of Hispanics--were enrolled in predominantly minority schools.
- 33% of minority students, including 33% of blacks, and 29% of Hispanics were enrolled in schools that were at least 90-100% minority. (OCR, 1982)
- However, many minority students--62%--are in school districts which are themselves predominantly minority. (OCR, 1982a)

Minority students are less isolated in some regions of the country than in others.

- Blacks are more likely to attend school with whites in the south.
- Hispanic students are more likely to attend school with non-minority students in the west and midwest. (Orfield, 1983)

Isolation of black students is decreasing in all regions of the country except in the northeast.

- In the south, the percentage of black students in schools with 90-100% minority enrollments decreased a dramatic 55% between 1968 and 1980.
- In the border states, there was a 24% decrease; in the west, a 17% decrease; and in the midwest, a decrease of 14%.
- In the northeast, the percentage of black students in schools with 90-100% minority enrollments actually increased by 6%. (Orfield, 1983)

Isolation of Hispanic students is increasing in every region.

- Over two-thirds of all Hispanics now attend school where over 50% of the students are minority.
- In the country as a whole, the percentage of Hispanic students attending schools with 90-100% minority enrollments increased almost 6% between 1968 and 1980. This increase ranged from 2% in the northeast to 7% in the west, and 13% in the midwest. (Orfield, 1983)

Question insert:

- In your state approximately what percent of minority students attend predominantly minority schools? Attend schools in districts which are predominantly minority?
 - Is racial isolation increasing or decreasing in districts of your state? for which groups?
-

3. Enrollment and Experience in Programs and Courses in Elementary and Secondary Schools

a. Mathematics and Science Courses

All students are taught math and science courses in the earlier years of their schooling. In high school they have options about enrolling in math and science courses. In these grades, differences in enrollment patterns emerge which often affect postsecondary education options. In 1980, with the exception of Asian males, females and minorities were less likely than white males to have completed four years of math and two years of physical science courses in high school.

	4 Years of Math		2 Years of Physical Sciences	
	Male	Female	Male	Female
Whites	69%	52%	69%	52%
Blacks	52%	42%	52%	43%
Hispanics	54%	36%	54%	41%
Asians	75%	63%	73%	56%

(CEEBS, 1982)

At the postsecondary level, blacks, Hispanics, and American Indians are substantially underrepresented in math/science fields at all degree levels. In 1984, these groups represented 5% of the scientist and engineering professions. (Vetter and Babco, 1986)

At the postsecondary level, the number of science and math degrees earned by females at all levels has steadily increased but still falls short of the percentage earned by their male colleagues. In 1982-83, women received: 27% of bachelor's degrees in the physical sciences; 13% in engineering; 44% in mathematics; and 46% in the life sciences. (Vetter and Babco, 1986)

The progress of women in the last ten years in terms of participation and achievement in science and math fields has been encouraging and reflects the impact of education legislation and societal efforts to promote equitable outcomes for females. Nevertheless, room for improvement remains, particularly in the science and engineering professions.

It is also important to note that within the hopeful trends evidenced for females and the limited gains made by minorities, it is difficult to assess the status of minority females. Too little data exist to accurately portray this subpopulation and determine whether they have been

propelled along with the general gains made by females or whether they suffer from an interaction of sex and race which may severely inhibit their access and achievement.

Research has shown a strong link between math courses taken and math achievement, suggesting the necessity to participate in order to excell. Efforts to impact low participation rates for females and minorities in courses leading to technical and quantitative based careers should first identify and eliminate barriers to participation.

The three most commonly identified factors influencing female and minority participation rates in math and science are: 1) cultural stereotyping of mathematics and science as "masculine" and as "white"; 2) lack of student understanding, particularly among young women, of the importance of mathematical training for postsecondary career options; and 3) sex and race stereotyped patterns of advice and guidance found in both the school and the home. (Fox, et.al., 1980)

Further analysis shows the causes for underrepresentation to differ for females and minorities. The key for females appears to be associated with motivational and counseling factors which shift interests away from sex atypical careers and the math sequences necessary for postsecondary training in quantitative fields. According to Berryman (1983, p. 8), "The high school tradition of offering more advanced mathematics as electives interacts with women's lesser interests in mathematically-related activities to foreclose these options to them."

For minorities, the causes of underrepresentation are even more varied. In addition to parental and student influences, school-related

variables such as inadequate and segregated facilities, teacher quality, high rates of placement in nonacademic tracks, and high suspension rates factor into overall negative school experiences affecting not only course taking patterns but the retention in school. (Matthews, 1984; Valverde, 1984) For language minorities, linguistic and cultural differences are additional barriers to participation in math and science courses and ultimate success in school.

Clearly, if the national need for an increase in the number of technically-trained workers and scientifically literate citizens is to be met, specific efforts must be made to address the factors contributing to the underrepresentation of females and minority males in scientific and mathematical fields. It is an issue of demographics as well as a question of equity; females are one-half of the population and minorities comprise a disproportionate share of the nation's youth.

Question Insert:

- Are efforts underway in your state to increase the participation of females and minority males in upper level math and science courses? If efforts exist, describe.
-

Most elementary and secondary schools operate special programs for children with extra educational needs. Such special programs exist for limited English proficient students, students who are physically or mentally disabled or otherwise educationally disadvantaged, and gifted and talented students. Enrollment in these programs often follows patterns based on race, ethnicity, and gender.

b. Bilingual Education Programs

In 1984, approximately 1,200,000 students in public elementary and secondary schools were enrolled in language assistance programs.

- 94% of these students were from minority groups--70% were Hispanic, 19% Asian, 2% American Indian, and 1% black.
- 7% of these students were white. (OCR, 1986)

In 1980, approximately 935,000 students in public elementary and secondary schools were identified by their school systems, in reports to the federal Office for Civil Rights, as having limited English proficiency.

- Of these, more than 11% did not receive needed bilingual education.
- Black students with limited English proficiency were less likely than other such students to receive bilingual education assistance. (OCR, 1982)

However, reports to the Office for Civil Rights may under estimate the number of limited English proficient children. Other recent U. S. Department of Education studies indicate that more than 3.6 million school age children cannot speak, understand, read, or write English proficiently, because their native or home language is other than English. Most demographic projections expect that number to continue to increase throughout the rest of this century--by as much as 35%. (Evans, 1984)

The largest single group of limited English proficient (LEP) students (approximately two-thirds), are Spanish speakers. Hispanics are the fastest growing population in America with a birth rate higher than the national average and a lower median age. Hispanic immigration, illegal and legal, continues at a high rate. All this will contribute to a likely

doubling of the Hispanic population in the United States by the year 2000. This dramatic Hispanic population growth will contribute to the continued growth of the LEP student population. Indeed, 92% of the projected increase in LEP students by 2000 is projected to be Spanish-speakers. (CRS, p. 3)

Even without this explosive growth in LEP students, our nation's public schools have been unable to meet the educational needs of language minority LEP students. A Congressional Research Service (Evans, 1984) report concluded that about two-thirds of limited English proficient students appear to receive no special language services in their schools. Consequently, it is not surprising that limited English proficient students, in general, and Spanish speaking LEP students, in particular, fall behind their peers academically early in school and remain behind. Ultimately, they leave school without a high school diploma at a disproportionately high rate and disproportionately suffer joblessness or low-wage employment.

The problems of limited English proficient students are as complex as they are serious. The LEP student population is not a homogenous group sharing similar problems and requiring similar solutions. LEP students enter school in this country at different ages. In addition to not speaking English, recent immigrant students bring a wide range of levels of previous education from their native countries. Disabilities requiring special education programs are found at least as frequently among LEP as non-LEP students. Students possess differences stemming from different social, economic, and cultural backgrounds. For example, an LEP student from a middle class family with professional parents and an adequate education by the standard of his or her native country who enters the

United States at age sixteen faces a very different set of problems than a native-born six-year-old from a low-income family whose parents themselves speak little if any English and who hears little English spoken by adults in the neighborhood.

The problems of LEP students do not begin and end with the need to learn English. Special language services tailored to different needs are necessary for LEP students. Additionally, LEP students are served in programs targeted specifically to their language needs as well as in compensatory, special, migrant, and vocational education programs designed for a variety of students at-risk of school failure.

Question insert:

- How are the multiple educational needs of LEP students addressed in your state?
 - Do SEA staff responsible for compensatory education, special education, bilingual education, and/or English-as-a-second-language (ESL), vocational education, etc., collaborate in servicing LEP students?
-

c. Special Education Programs

According to the Office for Civil Rights (1986) there were an estimated 3,944,000 disabled students enrolled in public elementary and secondary schools in 1984--10% of the total public school enrollment.*

Approximately 3,708,000 of these public school students were enrolled in special education programs for the disabled. Of these students in special education:

* Another U. S. Department of Education office, the Office of Special Education and Rehabilitative Services, reports several hundred thousand more disabled students or 11% of the public school enrollment.

- 45% were enrolled in programs for students with a specific learning disability;
- 27% were in programs for the speech impaired;
- 14% were in programs for the educable mentally retarded;
- 6% in programs for the seriously emotionally disturbed;
- 3% in programs for the trainable mentally retarded;

Males were greatly overrepresented in special education programs.

- In 1984, for example, males accounted for 78% of the total enrollment in programs for the seriously emotionally disturbed and 71% of the total enrollment in programs for children with specific learning disabilities.
- Males were also more likely than females to be enrolled in programs for the educable mentally retarded, trainable mentally retarded, and speech impaired.

The disproportionate representation of males is an indication of possible sex bias in identification of handicapped students. Boys who have been incorrectly "labeled" as in need of special services, may suffer limitations in their educational development and carry the burden of a incorrect label all their lives.

Bias in identification, however, may also limit the educational opportunities of disabled women and girls who are, in fact, in need of specialized services but do not receive them.

The educational opportunities of both male and female disabled students are further limited by heavy sex role stereotyping in curriculum, textbooks, and access to vocational education.

Inequities related to race and national origin are also at work in both regular and special classrooms. Some groups of students appear to be

overrepresented in special education classrooms while other groups are identified as in need of special services much less frequently than their representation in the total school population would indicate. Minorities were very overrepresented in some special education programs.

- In 1984, blacks were three times as likely as whites to be enrolled in programs for the educable mentally retarded.
- In 1984, minorities were more likely than whites to be classified as educable mentally retarded (EMR) in all regions of the country. However, the disparity was greater in some regions than in others. They were three or more times as likely to be placed in EMR classes in:
 - 9 of 11 southern states;
 - 2 of 7 border states;
 - 1 of 13 western states; and
 - 2 of 9 northeastern states. (OCR, 1986)

Children with limited English proficiency (LEP) and migrant students also appear less likely to be appropriately identified than are majority students. Nationally, students classified as LEP represent less than 2% of placements in special education programs. (OCR, 1986) For migrant students, access to services is further hampered by their mobility as well as compounded by cultural and linguistic differences.

Question insert:

- In your state, are data on special education program enrollments available for disability categories (e.g., educable mentally retarded, trainable mentally retarded, speech impaired, learning disabled) by race/ethnicity and sex within race?
 - From the available data on special education populations in your state, can you identify disproportionate representation of certain categories of students?
-

d. Programs for the Gifted and Talented

In 1984, approximately 1,637,700 students in public elementary and secondary schools were enrolled in programs for the gifted and talented. Minority students nationwide were much less likely to participate in programs for gifted and talented students than were nonminority students.

- For every 1,000 minority students enrolled in public schools in 1984, 27 participated in gifted and talented programs, compared with 48 participants per 1,000 white students.
- Among minorities, American Indians participated at the lowest rate, 20 per 1,000 enrolled, while Hispanics participated at the next lowest, 21 per 1,000 enrolled. Blacks participated at a rate of 22 per 1,000. (OCR, 1986)
- In 1980, the greatest disparity in the participation rates occurred in desegregated schools which were 40-60% minority. In those schools, 19 per 1,000 minority students enrolled participated in gifted and talented programs compared with 51 per 1,000 white students enrolled.
- Regionally, the northeast had the greatest and most equitable participation rates at the school district level for minority students in gifted and talented programs, followed by the west; the smallest and least equitable participation rates were in the south. (OCR, 1982)

Nationally, in 1984, 52% of the students who participated in gifted and talented programs were female. (OCR, 1986)

4. Educational Services, Benefits, and Treatment in Elementary and Secondary Schools

Access to specific instructional as well as noninstructional services and procedures can profoundly affect education outcomes for all students. While additional study is being done on access to curriculum content and teacher interaction with students, little comprehensive data are available. New data are available about access to microcomputers. Additional data below come from OCR surveys.

a. Schools with Microcomputers

A majority of schools (53%) had a microcomputer by January 1983. While 46% of public elementary schools had one or more computers, only 34% of those in which minority students were a majority had computers, and only 31% of low socioeconomic status (SES) schools had computers. Among elementary schools with low SES:

- those which were predominantly white used computers more often to do programming activities;
- and those which were predominantly minority used computers more often for drill and practice activities;
- predominantly minority schools report intensive use of computers by below-average students and predominantly white schools report intensive use by above-average students;
- predominantly white schools are more likely than predominantly minority schools to have a teacher on their staff personally knowledgeable about computers. (Center for Social Organization of Schools, 1983)

Course enrollment patterns are also found to affect computer access. Female and minority students enroll in fewer numbers than white male students in upper-level elective programming courses--courses critical to certain postsecondary training and technical careers. Computer access is further complicated by peer pressures, stereotyped cultural norms, and limited female and minority role models available in textbooks, magazines, and advertisements. ("A Concern About Computer Equity," June 1984)

Access to computer technology provides opportunities for developing both critical thinking and problemsolving skills associated with computer use and computer related job skills which may be required in the future. Inequities based on disparities in economic resources available to schools and districts, differential access to computers by students within

schools, or differential use of computers by diverse school populations is an equity issue affecting educational outcomes for students.

Question insert:

- How do differential access and use of microcomputers affect student outcomes?
 - If differential access and use are problems in your state, what is being done to address this problem?
 - In your state does the distribution or use of microcomputers favor any particular groups?
-

b. Physical Accessibility to Schools and Classrooms

In 1980, 70% of all public elementary and secondary schools had entrances accessible to the disabled. An estimated 34,400 students in public elementary and secondary schools were confined to wheelchairs.

- 51% of all public schools had at least one handicapped-accessible restroom for each sex.
- Only 21% of public schools had at least one accessible science lab for each science course offered. (OCR, 1982)

c. Treatment of Students Who are Disobedient or Disruptive

Maintenance of discipline and order in schools is an important element in providing quality education. However, substantial disparities exist in the treatment of students who are disobedient or disruptive. The consequences are especially severe if exclusionary discipline--suspension or expulsion--is used, because the denial of education is the punishment.

Boys are more likely to be disciplined than girls.

- In public elementary and secondary schools, in 1984, boys were more than twice as likely to be expelled or suspended from school as girls.
- They were almost four times as likely as girls to be corporally punished. (OCR, 1986)

Blacks are more likely to be disciplined than whites.

- In 1984, blacks were suspended from public schools at more than twice the rate of whites.
- Blacks were also more likely to receive corporal punishment than whites or other minority students. Fifty-nine per 1,000 black students enrolled were corporally punished in 1984, compared with 30 per 1,000 white students enrolled. (OCR, 1986)

Other minority groups are punished less frequently than blacks.

- American Indians and Hispanics are punished at roughly the same rate as whites.
- Asians were the least likely group to be disciplined in any way. (OCR, 1986)

Disparities in discipline vary by region which can be seen in Office for Civil Rights data for 1980.

Suspension:

- In the northeast, 104 black students were suspended per 1,000 enrolled in public elementary and secondary schools in 1980; in the west, the suspension rate for blacks was 110; while in the midwest, the rate was 117. In the south, 76 black students per 1,000 black students enrolled were suspended.
- Forty-three white students per 1,000 were suspended from public elementary and secondary schools in the midwest in 1980; the suspension rate for whites in the west in 1980 was 44; in the south, 45; and in the northeast, 51. (OCR, 1982)

Corporal Punishment:

- Of all regions in the country, the south evidenced the greatest corporal punishment rate for black students in 1980; however, it also had the greatest corporal punishment rate for white students--97 black students per 1,000 black students, and 73 white students per 1,000.
- The largest proportional disparity in the corporal punishment rate, as with the largest proportional disparity in the suspension rate, was found in the midwest. The least disparity, and the smallest corporal punishment rates overall, were found in the northeast. The corporal punishment rate for black students in the midwest was 36.5, almost twice the rate of 18.8 for white students. In the west, the rate for blacks was 13.5, compared to 8.5 for whites. In the northeast, the black rate of 2.9 was very close to the white rate of 3.7.

Minority suspension rates are generally higher in desegregated schools. In 1980, the number of minority students suspended per 1,000 minority students enrolled in public schools was:

- 102 in schools 20-40% minority;
- 95 in schools 40-60% minority; and
- 89 in schools 60-80% minority.

as compared with:

- 74 in schools 0-20% minority; and
- 62 in schools 80-100% minority. (OCR, 1982)

Question insert:

- Has your state documented disparities in suspension or expulsion rates by sex, race, or ethnicity?
 - If yes, how has this issue been addressed?
-

d. Extracurricular Activities and Participation in School Sports Activities

Extracurricular activities are widely recognized as important elements in the educational experiences of most students. Participation rates by sex in many extracurricular activities are roughly similar, with the exception of activities such as cheerleading, dance, and chorus which are dominated by females and sports activities which are dominated by males.

The extracurricular activity in which the greatest number of students participate is athletics. Significant differences occur by sex in participation in athletics.

- Among 1980 high school seniors, a much greater percentage of boys (47%) than girls (24%) participated in varsity sports. (NCES, 1981)
- In 1982-83, 35% of the more than 5.1 million high school athletes were women. (NFSHSA, 1983)

5. Vocational Education Programs

a. General Enrollment

Secondary Schools. In 1979, over 10 million students were enrolled in secondary school vocational education programs, representing approximately 60% of the enrollment in vocational education at all levels across the country. Secondary school vocational programs were offered at comprehensive high schools, junior and community colleges, and area vocational centers. Enrollment in these schools was broken down by race, national origin, and sex as follows:

	White	Black	Hispanic	Asian	American Indian	Total
Male	34%	8%	3%	1%	1%	47%
Female	38%	10%	4%	1%	1%	54%
Total	72%	18%	7%	2%	2%	101%

(OCR, 1982b)

Disabled students were 3% of the enrollment. (OCR, 1982b)

Postsecondary Schools. Over two million students in 1979 were enrolled in postsecondary vocational education programs offered at junior and community colleges, area vocational centers, and a few comprehensive high schools. Most of these students were enrolled in vocational programs at junior or community colleges. Of these students, approximately:

- 79% were white--40% male, 39% female;
- 11% were black--5% male, 6% female;
- 6% were Hispanic--3% each, male and female;
- 3% were Asian--2% male, 1% female; and

- 1% were American Indian--divided equally between males and females. (OCR, 1982b)

Thirty percent of minority students in vocational education programs at junior or community colleges were in institutions that were 60% or more minority. (OCR, 1982b)

Area Vocational Education Centers. Over one-half million students were enrolled in secondary or postsecondary career vocational centers in 1979. Of these students, approximately:

- 84% were white--51% male, and only 33% female;
- 10% were black--equally divided between male and female students;
- 4% were Hispanic--also equally divided by sex; and
- 1% each were Asian or American Indian. (OCR, 1982b)

Males accounted for 60% of the total enrollment in area vocational education centers. Disabled students were 5% of the enrollment in these schools. (OCR, 1982b)

b. Course Enrollment

White males, in 1979, were enrolled in disproportionately higher numbers of those vocational education programs that lead to higher paying jobs. Minorities and women were enrolled in such programs much less frequently. Few disabled students were in vocational education programs at all.

Females were a slight majority--actually 50.4%--of the enrollment in all secondary and postsecondary vocational education programs. However,

- women constituted 85% of all students enrolled in health occupations, 82% of students in home economics, and 74% of students in "office" programs;
- women were only 19% of all students enrolled in "technical" secondary and postsecondary vocational education programs (and only 6% of those in technical apprentice training programs);
- only 18% of the students enrolled in all "trade and industrial" vocational education programs were women. (OCR, 1982b)

Minority students made up 24% of the vocational education enrollment at all levels in 1979. They were:

- 31% of the enrollment in home economics courses taught as secondary or postsecondary programs;
- only 19% of the enrollment in technical programs at the secondary or postsecondary level. (OCR, 1982b)

Some disproportional enrollment patterns occurred by race and sex.

- While black males were 7% of the total secondary and postsecondary vocational education enrollment, they made up 44% of the enrollment in masonry.
- Black females were 8% of vocational education enrollment but made up 27% of the enrollment in clothing management; 18% in all home economics courses (including clothing management); 15% of filing and general office programs; and 13% of cosmetology. (OCR, 1982b)

c. Work-Study, Cooperative Education and Apprentice Training Programs

Minority participation, in 1979, was relatively low in apprentice training and cooperative education programs offered at comprehensive high schools and area vocational education centers. Minorities were equitably represented in these programs in junior and community colleges.

Minority students were overrepresented at all levels in work-study programs, which are more associated with training leading to much lower paying jobs than apprentice training or cooperative education programs.

Women were severely underrepresented in apprentice training programs:

- At comprehensive high schools, though 53% of the total vocational enrollment, women were only 16% of the enrollment in apprentice training programs.
- In area vocational centers, where they comprised 40% of the enrollment, women were 4% of the enrollment in apprentice training programs.
- In junior or community colleges, women were 50% of vocational education enrollment and only 7% of the enrollment in apprentice training programs. (OCR, 1982b)

Many disabled students could and should benefit from appropriate vocational education programs, but their enrollment in vocational education remains very low. While access to vocational opportunities is fairly restricted for disabled students in general, it appears to be further restricted for disabled females. (CCSSO, 1986)

Information on disabled students in a work-study program was collected for a 1978 study by Danker-Brown, et. al. on sex bias in vocational programs. The program was 71% male and 29% female. All students received about the same amount of instruction, but it was "qualitatively different" in a way consistent with traditional sex role stereotypes:

- females were trained for jobs in service occupations;
- males were prepared for a more diverse range of occupations; and
- women were prepared for jobs with fewer working hours and lower wages.

The authors of the study concluded that school personnel may guide students into various training programs based on their own conceptions of appropriate male or female career goals.

Question insert:

- What patterns of vocational education course enrollment exist in your state for females? minorities? the disabled?
 - What is being done to encourage participation of underrepresented groups in nontraditional vocational courses and apprenticeship programs?
-

6. School Dropouts

School completion rates vary greatly among students from different socioeconomic backgrounds, racial/ethnic groups, high school programs levels of achievement, type of school attended, regions of the country and communities. Among students who were sophomores in 1980, but left school prior to graduation, the dropout rate was:

- 22% for students in the lowest socioeconomic status (SES) quartile, but only 7% for those in the highest quartile;
- 13%, 17%, and 19% for whites, blacks, and Hispanics, respectively;
- lowest for students in academic high school programs (6%) and higher for students in general (17%), and vocational programs (20%);
- 25% for students in the lowest test-score quartile compared to 4% for students in the highest quartile;
- 18%, 13%, and 14% in urban, suburban, and rural communities, respectively; and
- roughly 12% in the Northeast and North Central regions, but almost 17% in the South and West. (U. S. Department of Education, 1985)

Race and SES have been found to be the most important predictors of dropping out of school. For whites, the dropout rate decreased as SES increased such that in the lowest SES quartile, whites had significantly higher dropout rates than blacks (24% vs. 18%). (Ibid.)

For Hispanics, ethnicity apart from income level and language background have been found to be important factors. Among Hispanics,

Puerto Ricans have a 23% dropout rate followed by Mexican-Americans (21%) and Cubans (20%). Hispanics who were bilingual but spoke primarily English in the home had lower dropout rates than those who spoke Spanish in the home. (Ibid.)

Disabled students graduate at a far lower rate than nondisabled students. In 1980, although constituting 8% of total public elementary and secondary school enrollment, handicapped students represented only 2% of those graduating from high school. (OCR, 1982)

Question insert:

- Does your state collect dropout data by sex, race, ethnicity, income level, and disability?
 - Have intervention programs been developed targeting specific categories of dropouts?
-

7. Role Models

The educational aspirations of students, in elementary and secondary schools especially, are strongly affected by the role models students perceive in the adults with whom they come in contact and in curriculum materials. Elementary and secondary students--unless they are white males--often lack effective role models within the public elementary and secondary school system.

Male educators are more likely to be higher paid administrators and women to be lower paid teachers and teachers' aides.

- In 1981, more than 76% of public elementary and secondary school officials and administrators were male, as were 84% of school principals and assistant principals. (AASA, 1982)

- Twice as many women as men, however, were employed as classroom teachers. (NCES, 1983)

Minorities and women are especially underrepresented as school superintendents.

- In 1981, white males were 97% of all school superintendents.
- White females, black males, and Hispanic males each accounted for 1% of the superintendents. (AASA, 1982)

Minorities and women are only somewhat less underrepresented as school principals.

- In 1981, white males were 75% of all school principals.
- White females made up 13% of the principals.
- Black males accounted for 5% of the principals.
- Three percent of the principals were Hispanic males or black females. (AASA, 1982)

In 1986, at the state level there were six female chief state school officers among the 50 states and the District of Columbia.

Question insert:

- In your state what proportion of administrators are female? a minority (male/female)?
 - Do you have data on the hiring, promotion, assignment, and certification of females and minorities?
-

Note to Trainer: The Small Group Activity should be conducted at the conclusion of this chapter.

Persistent Inequities--Small Group Activity

For this activity, divide the large group into several small units. Have each unit select one or two of the "Persistent Inequities" listed on the attached page. For each "inequity" selected:

1. cite one or more specific examples of this inequity as it is manifested in educational settings;
2. identify a group for which the inequity has a disproportionately negative impact;
3. cite what, if anything, is being done to remedy the problem; and
4. develop a strategy for how equity specialists can work to eliminate this persisting inequity.

Appoint a recorder and someone to report back to the large group. Allow units 20-30 minutes to deliberate.

Persistent Inequities

1. Discrimination in vocational education programs based on race, sex, ethnicity, and/or disability.
2. Misclassification of students as handicapped.
3. Lack of opportunity to participate in interscholastic athletics activities by gender and disability.
4. Inadequate provision of services to limited English proficient students.
5. Discrimination against disabled students (especially from low-income family homes, families where English is not spoken in the home, and rural areas).
6. Discrimination in suspension and expulsion practices.
7. Student segregation.
8. Inter- and intra-district finance inequities.
9. Underrepresentation of minority students in gifted and talented programs.
10. Sexual harassment.
11. Differential pay for coaches of girls and boys sports teams.
12. Differential impact of school policies on low-income students.
13. Insensitivity to the educational needs of migrant children.
14. Employment discrimination (hiring, promotion, reassignment, and certification procedures).

TABLES

Table 1
Labor Force Participation Rates of Women by Presence and Age of
Children, Race, and Hispanic Origin, March 1985

Presence and Age of Children Race and Hispanic Origin	1985
--	------

TOTAL

Total.....	54.5
No children under 18 years old.....	50.4
With children under 18 years old.....	62.1
Children 6 to 17 years old, none younger.....	69.9
Children under 6 years old.....	53.5
Children 3 to 5 years, none younger.....	59.5
Children under 3 years old.....	49.5

WHITE

Total.....	54.2
No children under 18 years old.....	50.3
With children under 18 years old.....	61.8
Children 6 to 17 years old, none younger.....	69.8
Children under 6 years old.....	52.8
Children 3 to 5 years, none younger.....	58.4
Children under 3 years old.....	49.2

BLACK

Total.....	56.1
No children under 18 years old.....	50.4
With children under 18 years old.....	64.2
Children 6 to 17 years old, none younger.....	70.9
Children under 6 years old.....	57.6
Children 3 to 5 years, none younger.....	64.1
Children under 3 years old.....	52.2

HISPANIC ORIGIN

Total.....	50.4
No children under 18 years old.....	50.2
With children under 18 years old.....	50.6
Children 6 to 17 years old, none younger.....	58.5
Children under 6 years old.....	44.2
Children 3 to 5 years, none younger.....	46.6
Children under 3 years old.....	42.7

Source: U. S. Department of Labor, Bureau of Statistics, News, 85-381, September 19, 1985.

Figure 1

PERCENT OF POOR CHILDREN FROM DIFFERENT FAMILY BACKGROUNDS

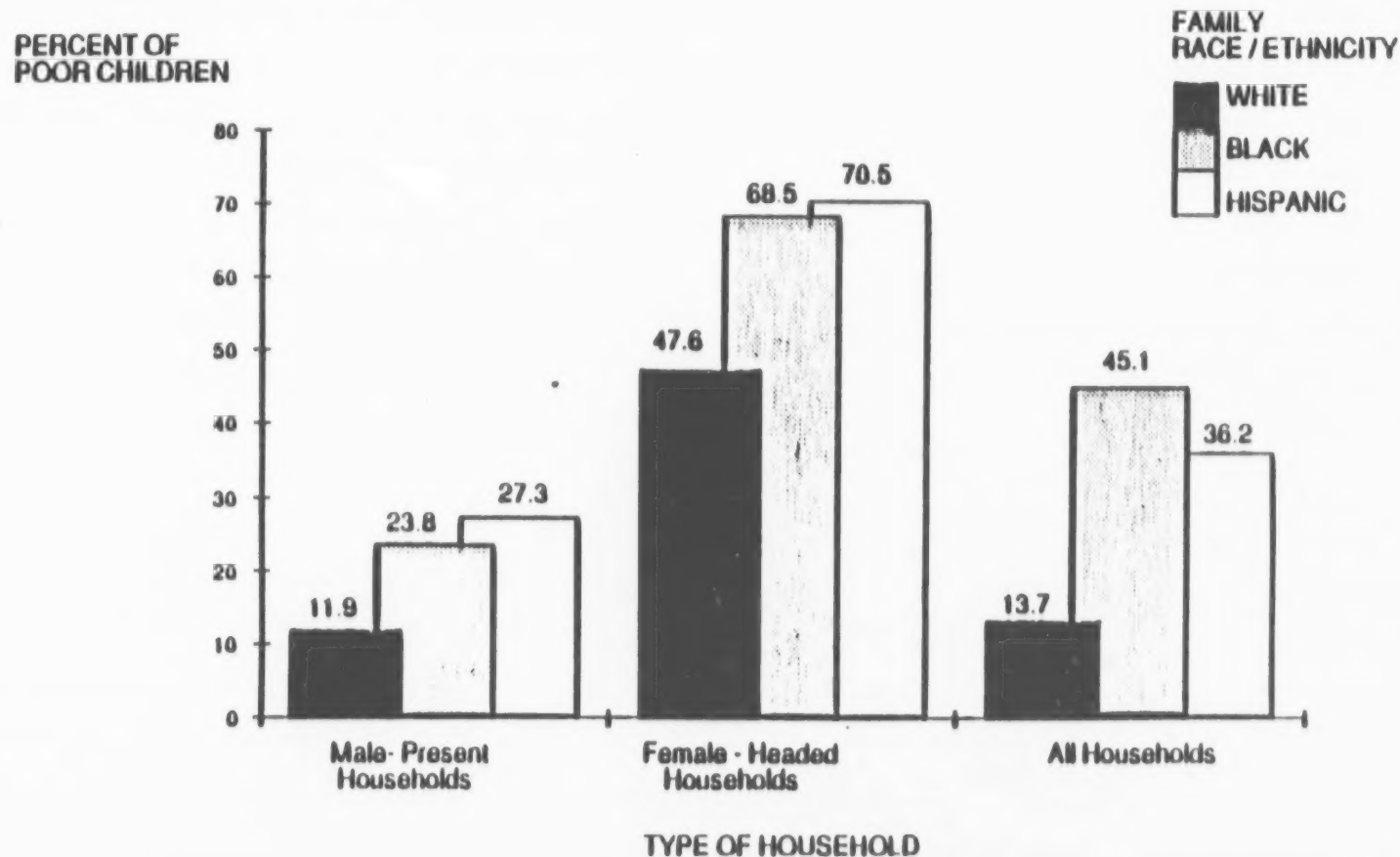


FIGURE READS: "Among all White children living in households with an adult male present, 11.9 percent are poor. Among all Black children living in households with an adult male present, 23.8 percent are poor."

SOURCE: Congressional Research Service/Congressional Budget Office, *Children in Poverty*. Committee on Ways and Means, U.S. House of Representatives, 1985. Page 31.

Table 2
Growth in Families Maintained by Women, 1970, 1980, and 1984
(Numbers in Thousands)

<u>Year</u>	<u>White</u>		<u>Black</u>		<u>Hispanic*</u>	
	<u>Number of families</u>	<u>Percent of all families</u>	<u>Number of families</u>	<u>Percent of all families</u>	<u>Number of families</u>	<u>Percent of all families</u>
1970	4,185	9.1	1,349	28.3	**	**
1980	6,302	11.6	2,495	40.3	637	21.8
1984	6,779	12.6	2,889	43.3	816	23.0

* Persons of Hispanic origin may be of any race.

** No data available.

Source: U. S. Department of Labor, Women's Bureau, Facts on U. S. Working Women, Women Who Maintain Families, Fact Sheet No. 85-2, July 1985.

Table 3
Median Weekly Earnings of Families, by Type
(Quarterly Averages)

Type of Family	Fourth Quarter 1984	Fourth Quarter 1980
Total families with earners	\$513	\$417
Married-couple families	568	445
Families maintained by women	290	225
Families maintained by men	450	380

Source: U. S. Department of Labor, Women's Bureau, "Women Who Maintain Families," Fact Sheet No. 85-2, July 1985.

Table 4
Educational Attainment of Householders in Families, March 1984
(Percentage Distribution)

Type of Family	Less Than High School	High School Graduate	Attended College
All Families	27.1	37.2	35.7
Married-couple	25.2	36.5	38.4
Female-headed	35.5	41.3	23.3
Male-headed	33.8	35.9	30.3

Source: U. S. Department of Labor, Women's Bureau, "Women Who Maintain Families," Fact Sheet No. 85-2, July 1985.

Table 5
Average Weekly Earning, Full-Time, Year-Round Workers
Fourth Quarter, 1985

	All Races	White	Black	Hispanic
Men	\$413	\$424	\$307	\$299
Women	\$283	\$287	\$255	\$231

Source: U. S. Department of Labor, Bureau of Labor Statistics, in League of Women Voters Education Fund, "Women in Job Training," January 1986.

Table 6
Median Years of Schooling of Women in the Population
and Labor Force, 1960-80

	<u>Population</u>		<u>Labor Force</u>	
	<u>Black</u>	<u>White</u>	<u>Black</u>	<u>White</u>
1960	8.6	11.2	9.4	12.2
1970	10.2	12.2	12.1	12.5
1975	11.1	12.3	12.8	12.5
1980	12.0	12.5	12.4	12.7

Source: U. S. Department of Commerce, Bureau of the Census, Statistical Abstract of the United States (1981), p. 42; U. S. Department of Labor, Handbook of Labor Statistics, (June 1985), pp. 166-168.

Table 7
Unemployment Rates, 1984

Teenagers*	Rate	Adults**	Rate
Black men	42.7	Black men	14.3
Black women	42.6	Black women	13.5
White men	16.8	White men	5.7
White women	15.2	White women	5.8

* 16-19 years of age

** 20 years of age and over

Source: U. S. Department of Labor, Fact Sheet No. 85-6, July 1985.

Table 8
Unemployment Rates by Race and Educational Attainment

	<u>1983</u>		<u>B/W</u>
	<u>Black</u>	<u>White</u>	<u>Ratio</u>
Elementary			
Less than 5	(b)	13.5	--
5 to 7 years	16.2	16.1	1.00
8 years	17.0	15.4	1.10
High School			
1-3 years	27.6	18.0	1.53
4 years	20.8	8.1	2.56
College			
1 to 3 years	16.0	5.4	2.96
4 years	9.4	3.8	2.47
5 years or more	2.9	3.2	.90

(b) Data not shown where base is less than 75,000.

Source: U. S. Department of Labor, "Educational Attainment of Workers," various issues, 1972-1981.

Table 9
Poverty Rates of Families, by Race, 1983*

Type of Family	Black	White
Total families	32.4	9.7
Married-couple families	15.5	6.9
Male head of household, no wife present	23.7	10.4
Female head of household, no husband present	53.8	28.3

* The 1983 poverty threshold for a family of 4 was \$10,178.

Source: U. S. Department of Labor, Women's Bureau, Facts on Working Women, Black Women in the Labor Force, Fact Sheet No. 85-86, July 1985.

INTEGRATING EQUITY CONCERNS: A COLLABORATIVE APPROACH

INTEGRATING EQUITY CONCERNS: A COLLABORATIVE APPROACH

Objectives:

- 1) To encourage equity staff to collaborate/coordinate their activities with other equity staff;
- 2) To encourage SEA staff to integrate equity concerns into all SEA activities.

Procedure for Trainer:

This "chapter" is divided into two segments to be presented by the trainer: 1) "Increasing Collaboration Among Equity Staff"; and 2) "Integrating Equity Concerns into SEA Activities". Each segment is followed by an exercise which allows participants to apply the ideas presented to their own work.

In presenting these materials, the trainer should first focus on the importance of equity staff's working together to recognize similarities as well as differences in their job responsibilities. The participants should then be encouraged to work cooperatively in ensuring that equity concerns are addressed in all SEA activities.

Materials for Participant Activities:

ASSESSING COLLABORATION AMONG EQUITY STAFF--This exercise will encourage an equity staff person to begin thinking about the extent to which he or she works with staff in other equity areas.

IDENTIFYING EQUITY NEEDS OF SEA STAFF--This questionnaire is designed to assist equity staff in identifying equity-related interests and needs of other SEA staff. Equipped with this information, equity staff can tailor their training materials to meet the needs of their colleagues in the SEA. The questionnaire should be disseminated by an equity staff person (or equity team) to a variety of SEA departments.

A CHECKLIST TO ASSESS THE EXTENT TO WHICH EQUITY CONCERNS HAVE BEEN INTEGRATED INTO SEA ACTIVITIES--This checklist was developed to assist SEA staff in assessing the extent to which equity concerns have been integrated into their SEAs' activities. It can be used as a starting point for structuring a comprehensive equity approach to SEA activities or as a mechanism for targeting specific areas where equity concerns have not been adequately addressed. The checklist should be completed and discussed by staff from a range of SEA departments and administrative levels. This procedure will help to ensure that differing perspectives concerning equity issues are recognized.

INTEGRATING EQUITY CONCERNS: A COLLABORATIVE APPROACH

A) Increasing Collaboration Among Equity Staff

Inequities based on race, sex, national origin, and disability are evident throughout our educational system as well as the U. S. labor force. Yet, despite these persistent inequities, the federal role in promoting equity has been steadily decreasing during recent years. Reduced federal funding, deregulation, and less stringent civil rights enforcement at the federal level have all contributed to this steady decline. If civil rights achievements of the 1960's and 1970's are to be preserved and if further steps towards educational equity are to be taken, leadership must now originate at the state level.

To date, many states have risen to the challenge of addressing inequities in education. These efforts have resulted in the implementation of equity laws, constitutional provisions, and programs which, in some cases, are more far-reaching than existing federal mandates. Additionally, every state funds some programs for children with extra educational needs. Building on this foundation, energies must now be directed towards developing and expanding comprehensive approaches to eliminating inequities. That is, rather than addressing race, sex, national origin, and disability issues independently, efforts should be made to: 1) increase collaboration and coordination among specialists from diverse equity areas; and 2) integrate equity concerns into all SEA activities.

Why Collaborate/Coordinate?

Females frequently encounter multiple types of bias and discrimination. For example, a disabled female risks discrimination based on her gender as well as her disabling condition. A black disabled female risks discrimination based on her race, gender, and disabling condition. In such cases, race, sex, national origin, and disability are no longer discrete issues which should be addressed independently. Rather, they present overlapping concerns requiring the attention and expertise of professionals from diverse equity areas with knowledge and sensitivity to these overlapping concerns. A cooperative, collaborative approach to addressing these multiple inequities is justified by the following factors.

- Collaboration/coordination can increase equity staffs' understanding of each others' roles and responsibilities. At the same time, "turfism" or other friction between equity personnel and programs can be reduced.
- Sexism, racism, and handicapism have much in common. For example, all present obstacles to educational equity. Similarly, victims of each "ism" are frequently subjected to economic exploitation, paternalistic attitudes, and segregation/isolation. Consequently, initiatives which have successfully addressed one type of bias can be shared with other equity staff, thereby providing the staff an opportunity to benefit from each others' experiences.
- Collaboration/coordination is cost-effective and reduces duplication of effort among equity staff. This economic benefit is particularly important where fiscal and staff resources for equity initiatives are limited.
- Collaboration/coordination avoids a "divide and conquer" strategy by equity opponents which can be detrimental to everyone.
- Collaboration/coordination results in greater visibility and broader audiences for equity workshops, technical assistance materials, and monitoring programs both inside and outside the SEA.
- Collaboration/coordination can aid in institutionalizing equity programs and avoid their being isolated, one-time efforts.

Agency configurations, financial considerations, staffing patterns, and other factors relating to SEAs vary from state-to-state. Consequently, vehicles which facilitate collaboration among equity specialists in one state may prove futile in a neighboring state. SEA staff must, therefore, decide which mechanisms most effectively meet their needs. Some suggested strategies for encouraging collaboration across equity lines might include:

- Sex equity personnel periodically attend staff meetings in other equity areas, and vice versa (e.g., sex equity staff attend race equity meetings);
- Sex equity personnel provide inservice training for equity personnel from other areas, and vice versa;
- Sex equity staff participate in interviewing applicants for staff positions in other equity areas, and vice versa;
- Sex equity staff perform monitoring activities in conjunction with the monitoring activities of other equity areas;
- Sex equity staff coordinate their data collection activities with those of other equity staff;
- Sex equity staff co-sponsor technical assistance workshops with other equity areas;
- If appropriate, sex equity and other equity staff co-sponsor incentive grants for LEAs;
- Sex equity personnel co-author public information materials (e.g., brochures) highlighting a range of equity issues;
- Sex equity staff meet informally (e.g., lunch) with other equity staff to identify additional ways of collaborating and coordinating their activities.

Through such joint activities, equity staff will acquire a better understanding of each others' responsibilities. In addition, an equity "team" can be established. Through this team, equity specialists can take

steps to ensure that equity concerns are integrated into all SEA activities.

Adapted from Anderson, T. "Racism, Sexism and Handicapism: A Common Bond/A Rational for Cooperation and Coordination Between Equity Programs," 1986.

B) Integrating Equity Concerns Into SEA Activities

"Educational equity" should not consist of a finite set of discrete programs and people operating under Title IV of the Civil Rights Act or comparable civil rights funding. Rather, the promotion of educational equity should be a priority in every activity at every level of the educational system.

The following discussion examines the role of state education agencies (SEAs) in the achievement of educational equity. It describes typical SEA functions and identifies the kinds of equity activities which might be associated with those SEA functions. These descriptions are followed by a checklist which will assist participants in assessing the degree to which equity concerns have been integrated into their SEAs' activities.

1. Regulation of state education programs--State boards and departments of education are authorized to establish and enforce rules and regulations which: provide for the establishment and maintenance of education programs of high quality throughout the state; guarantee appropriate educational opportunities for all students; and establish state requirements for local programs funded by federal laws and operated under the supervision of the state department of education. These regulations can take the form of either minimum standards or quality incentives. Educational equity can be promoted by establishing equity criteria in these standards and incentives. Education reform initiatives should also reflect the state's concern for equity as well as excellence in education.

2. Administration of state education programs--Pursuant to their responsibilities for the administration of state education programs, state education agencies formulate for the governor and the legislature budgets for the support of education programs within the state; recommend to the governor and the state legislature desirable legislation related to education programs within the state; prescribe systems for collecting and reporting educational data for the evaluation and assessment of educational progress in the state; and accept and distribute to local education agencies funds, goods, and services which are made available from the state or federal governments.

3. Leadership for state and local programs--State education agencies assume responsibility for many activities which provide leadership for the improvement of education at the state and local levels. Included among these activities are:

- Planning--Most state agencies are responsible for identifying long-range education needs at the local and state levels, delineating alternative means to address these needs, and selecting, at least for the state level, those means which shall be used to meet these needs.
- Research and evaluation--Many state agencies make provisions for directing and financing needed educational research through cooperative arrangements with local education agencies, colleges and universities, and other organizations. Demonstration programs and dissemination of research results are one means used by state education agencies to influence the quality of education services within the state.
- Experimentation and innovation--Increasing numbers of state education agencies are accepting responsibility for conducting and supporting experimentation and innovation in an attempt to develop new programs that promise improvement of education.
- Consultative services--Most state education agencies make services available to local agencies which are directed toward the solution of particular problems in local education programs. Consultative services are a prime method for accelerating the dissemination of methods, procedures, and practices essential for successful local efforts.

- Cooperative programming--State education agencies sponsor cooperative programs with colleges and universities, local education agencies, associations of schools and school districts, and task forces organized to implement new programs. These cooperative relationships provide another means of state support for innovation and dissemination of successful programs.
- Inservice education--The state education agency in most states provides not only resources for the inservice education of its own staff, but also for inservice activities at the local and regional levels and for the education of members of boards of education.

4. Policy development--The written policies of a state education agency can provide a direction and a statement of priorities for the work of the agency. Policy development and dissemination are an important means for communicating the focus of agency programs to employees as well as constituent groups and others outside the agency. A formal state policy stating the commitment of the state agency to achieving educational equity in all its programs and activities can provide a significant impetus for equity efforts at both the state and local levels. If it is to be effective, however, it must be followed by program development and concrete action.

5. Program development--Program development is the planning process which moves general policy directives to specific goals, objectives, and activities. If equity is to be achieved in state agency programs, equity goals should be developed for every bureau, division, or program in the agency. Objectives, performance measures, and timelines should be developed for each goal and communicated to staff. Steps should also be taken to ensure that equity considerations are reflected in criteria developed for local education programs.

6. Staffing--Effective human resources are essential to the achievement of any agency program. State education agencies can ensure that sufficient staff resources are assigned to equity programs and

activities and that all agency staff have received training regarding the equity responsibilities inherent in their own job functions.

7. Monitoring and evaluation--Monitoring and evaluation are necessary to ensure the optimal effectiveness of any state or local education agency program. Once equity programs, goals, and objectives have been developed, evaluation and monitoring can determine their successes and problems as well as identify emerging needs. Evaluation and monitoring are an important means for directing staff performance, anticipating and resolving problems, and reporting progress to persons inside and outside the agency.

8. Budgeting--The values and priorities of a state education agency are often expressed in the allocation of available financial resources among various agency programs. Effective equity programs require the procurement, allocation, and wise use of budgetary resources. As federal education funds are reduced, it is important that adequate state funds be allocated to maintain equity programs.

Adapted from McCune, S. and Matthews, M., "Achieving Sex Equity in Education: A Resource Collection for Technical Assistance Personnel in State Education Agencies", January 1980.

ASSESSING COLLABORATION AMONG EQUITY STAFF

The following questions are intended to help you, as an SEA equity staff member, assess the extent to which you currently collaborate with other equity staff.

1. I know, by name, the person(s) in the SEA with the following titles/responsibilities:

- ☐ Title IX Coordinator
- ☐ Special Education Director
- ☐ Section 504 Coordinator
- ☐ Vocational Education Sex Equity Coordinator
- ☐ Race Equity Coordinator
- ☐ National Origin Coordinator
- ☐ Bilingual Education Director
- ☐ Compensatory Education Director

(Please check all that apply and strike through titles that fall within your responsibilities.)

2. What mechanisms currently exist in my SEA to facilitate the routine exchange of information among equity staff?

3. I have worked with the following person(s) during the last year on a specific project:

- ☐ Title IX Coordinator
- ☐ Special Education Director
- ☐ Section 504 Coordinator
- ☐ Vocational Education Sex Equity Coordinator
- ☐ Race Equity Coordinator
- ☐ National Origin Coordinator
- ☐ Bilingual Education Director
- ☐ Compensatory Education Director

4. I plan to work with the following person(s) on a specific project during the next six months:

- ☐ Title IX Coordinator
- ☐ Special Education Director
- ☐ Section 504 Coordinator
- ☐ Vocational Education Sex Equity Coordinator
- ☐ Race Equity Coordinator
- ☐ National Origin Coordinator
- ☐ Bilingual Education Director
- ☐ Compensatory Education Director

5. I understand and can describe the roles/responsibilities of SEA staff working on race, sex, national origin, and disability issues.

IDENTIFYING EQUITY NEEDS OF SEA STAFF

The following questionnaire is designed to assist SEA equity staff in identifying equity-related interests and needs of other SEA staff. Equipped with this information, equity staff can tailor their training materials to meet the needs of their colleagues in the SEA. Please complete the questionnaire and return it to the SEA equity contact person identified below. Your prompt response will be greatly appreciated.

Your Name _____

SEA Office or Division _____

Job Title _____

Telephone Number _____

1. Please describe 3-5 equity-related issues about which you would like to learn more.

a)

b)

c)

d)

e)

2. In what form would you like this information presented (e.g., fact sheets; inservice workshops; training manual)?

3. Ideally, when would you like these materials developed?

Please return your completed questionnaire to:
[Insert name and address of SEA equity contact person.]

THE FOLLOWING CHECKLIST IS DESIGNED TO ASSESS THE EXTENT TO WHICH EQUITY CONCERNS HAVE BEEN INTEGRATED INTO SEA ACTIVITIES.

	<u>YES</u>	<u>NO</u>
<u>Regulatory functions</u>		
1. Do the standards for the accreditation of schools include criteria related to nondiscrimination and equity?	_____	_____
2. Do the standards utilized by the SEA for the certification of education personnel include requirements for training and/or demonstrated competencies related to nondiscrimination and equity? (For example, must prospective teachers have earned a minimum number of credits in equity/human resources courses? In special education courses?)	_____	_____
3. If your SEA adopts texts and instructional materials from which local education agencies must select, do the adoption standards include criteria related to nondiscrimination and equity? (For example, do the criteria ensure that texts are sensitive to a variety of cultures? Do they ensure that the texts will include positive images of disabled persons?)	_____	_____
<u>Administrative functions</u>		
4. Does your SEA review education budgets submitted to the governor and/or state legislature in order to recommend/ensure adequate support for nondiscrimination and equity programs?	_____	_____
5. Does your SEA periodically review its data collection policies, systems, and procedures in order to ensure that all data concerning students or education personnel within the state (e.g., enrollment) are collected, analyzed, and reported by race, disability, and national origin as well as by sex within each category?	_____	_____
6. Has your SEA established criteria related to non-discrimination and equity which are utilized in the distribution of state and federal funds to local education agencies? (For example, in submitting proposals for funding, must the LEAs ensure that they will not discriminate on the basis of race, sex, national origin, or disability in their programs?)	_____	_____
7. Does your SEA include equity goals and objectives in any formal plans which it develops for the implementation/administration/coordination of education programs on a statewide basis?	_____	_____

YESNOLeadership functions

- | | | |
|--|-------|-------|
| 8. Does your SEA offer incentives which can encourage LEAs to plan and implement programs related to the achievement of educational equity? (For example, does your SEA offer incentive grants for programs to increase awareness of sex and race bias in programs for the disabled?) | _____ | _____ |
| 9. Does your SEA support research, demonstration, and dissemination programs related to equity in education? (For example, does your SEA disseminate information/curriculum materials concerning the role of women in your state's history?) | _____ | _____ |
| 10. Does your SEA develop and disseminate models and materials which can be used by LEAs in complying with state and federal nondiscrimination requirements? (For example, does your SEA disseminate self-assessment materials to assist LEAs in monitoring their compliance with federal and state equity mandates?) | _____ | _____ |
| 11. Does your SEA make available to LEAs consultant services related to compliance with state and federal nondiscrimination requirements, the development and implementation of equity programs, and/or the resolution of equity problems? (For example, are consultant services available to address the underrepresentation of disabled females in nontraditional vocational education classes?) | _____ | _____ |
| 12. Does your SEA sponsor activities/programs related to equity in cooperation with institutions of higher education, professional associations, LEAs, and community organizations within the state? (For example, does your SEA work with higher education to encourage minority students to enter the teaching field?) | _____ | _____ |
| 13. Does your SEA provide to education personnel within the state inservice programs/activities related to nondiscrimination and equity? (For example, does your SEA provide workshops to increase the participation of females and minority males in math and science courses?) | _____ | _____ |
| 14. Does your SEA maintain public relations initiatives relating to equity in education? (For example, do SEA equity staff and policymakers address educational equity issues at PTA and other parent/community meetings?) | _____ | _____ |

YESNOPolicy development

15. Does your SEA have a written policy of nondiscrimination based on sex, race, national origin, and disability which covers all aspects of agency operation? _____
16. Does your SEA have a written policy of compliance with Title IX of the Education Amendments of 1972 and other civil rights laws? _____
17. Are your SEA policies regarding nondiscrimination based on sex, race, national origin, and disability disseminated to:
- all employees? _____
 - all applicants for employment? _____
 - all vendors? _____
 - all contractors and grantees? _____
 - all participants in SEA-sponsored education institutions or programs? _____
18. Has your SEA published a grievance procedure for the resolution of complaints alleging discrimination prohibited by:
- Title IX of the Education Amendments of 1972? _____
 - Section 504 of the Rehabilitation Act of 1973? _____
 - Title VI of the Civil Rights Act of 1964? _____
19. Is a written notification of the SEA's grievance procedures periodically disseminated to all employees of the SEA? _____
20. Do all persons with responsibilities for policy development for the SEA, including members of the state board of education, receive periodic updates concerning the agency's legal responsibilities for nondiscrimination? (For example, does legal counsel for the SEA provide analyses of educational equity court decisions affecting the SEA's responsibilities?) _____

Program development/program implementation

21. Have goals related to the elimination of bias and discrimination been formulated and published for every bureau/division/program area in the SEA? _____

- | | <u>YES</u> | <u>NO</u> |
|--|------------|-----------|
| 22. Have timelines and performance measures for the achievement of all equity goals and objectives been specified in writing and communicated to appropriate staff members? | _____ | _____ |
| 23. Has a mechanism been developed to ensure that equity goals and objectives are developed for each new program undertaken by the SEA? | _____ | _____ |
| 24. Are existing SEA programs routinely monitored to ensure that equity objectives are being achieved? | _____ | _____ |
| 25. Do equity personnel routinely collaborate with general education and instructional personnel in order to infuse equity concerns into the activities of these divisions? (For example, have equity personnel collaborated with instructional personnel in developing guidelines to assist LEAs in identifying and counteracting biases in instructional materials?) | _____ | _____ |
| 26. Do SEA staff routinely perform on-site monitoring activities in LEAs? (For example, do SEA staff visit physical education classes to ensure that they are not illegally segregated by sex?) | _____ | _____ |

Monitoring and evaluation

- | | | |
|---|-------|-------|
| 27. Are responsibilities for the periodic reporting of SEA and LEA progress and problems in the implementation of equity goals and objectives clearly specified for all SEA staff? | _____ | _____ |
| 28. Are reports of SEA and LEA equity progress and problems periodically reviewed by an SEA staff member with policy-level authority? | _____ | _____ |
| 29. Are equity criteria included in every evaluation of SEA programs (e.g., salary/compensation reviews, management effectiveness studies)? | _____ | _____ |
| 30. Are reports of agency progress and problems in the implementation of equity programs and activities periodically disseminated to agency staff, to members of state and local government, and to the public? | _____ | _____ |

Education reforms

- | | | |
|--|-------|-------|
| 31. Were equity concerns considered in developing your state's education reforms? (For example, have programs been implemented to assist educationally disadvantaged students meet increased graduation requirements?) | _____ | _____ |
|--|-------|-------|

	<u>YES</u>	<u>NO</u>
32. Has an accountability system been implemented by the SEA which will monitor the effects of education reforms on student performance by race, sex, national origin, disability, and socioeconomic status?	_____	_____
33. Have reform initiatives been developed with the assistance of SEA staff who work in programs targeted on at-risk youth? (For example, have programs been developed with the assistance of staff who understand the educational needs of limited English proficient students?)	_____	_____
34. Have reforms (e.g., teacher tests) been carefully developed in order to avoid even unintentional cultural biases?	_____	_____
35. Does the SEA provide special assistance in implementing the reforms to LEAs with high percentages of at-risk youth?	_____	_____

Staffing

36. Has your SEA reviewed all its employment policies, practices, and procedures in order to ensure that they do not discriminate based on sex, race, national origin, or disability with regard to:		
-- recruitment?	_____	_____
-- selection?	_____	_____
-- compensation?	_____	_____
-- placement?	_____	_____
-- promotion?	_____	_____
-- training?	_____	_____
-- fringe benefits?	_____	_____
-- retirement?	_____	_____
-- any other terms and conditions of employment?	_____	_____
37. Has a review been completed of all SEA position descriptions, position classifications, and compensation systems to ensure that they do not result in discrimination based on sex, race, national origin, or disability?	_____	_____

- | | <u>YES</u> | <u>NO</u> |
|--|------------|-----------|
| 38. Has your SEA performed a work force utilization analysis in order to determine the numbers of females and males of each racial-ethnic group employed in each job classification within the agency, as well as the salary range of each classification, and the average years of education and employment within the agency for females and males in each classification? | _____ | _____ |
| 39. Does your SEA have a written affirmative action plan for ensuring nondiscrimination and achieving equity in its employment policies, procedures, and practices? | _____ | _____ |
| 40. Have all individuals with responsibility for the recruitment, selection, and management of SEA personnel received training with regard to state and federal nondiscrimination and affirmative action requirements and strategies for their implementation? | _____ | _____ |
| 41. Have personnel assigned specific equity responsibilities been ensured sufficient authority and access to other staff to enable them to perform their assigned responsibilities? | _____ | _____ |
| 42. Have all staff of the SEA been provided inservice training with regard to their responsibilities for nondiscrimination and equity? (For example, are inservice workshops provided periodically concerning equity laws, regulations, and policies?) | _____ | _____ |

Budgeting

- | | | |
|--|-------|-------|
| 43. Does your SEA budget clearly allocate funds to equity programs/staff/activities? | _____ | _____ |
| 44. Is state support sufficient to maintain equity programs that have suffered federal budget cutbacks? (For example, if federal Title IV funds are further reduced, will your SEA's race, sex, and/or national origin programs continue to function?) | _____ | _____ |
| 45. Are equity funds allocated in such a way as to support the infusion of sex equity activities throughout all SEA programs? | _____ | _____ |
| 46. Are persons knowledgeable about equity issues and responsible for equity programs provided an opportunity for input during the budget process? | _____ | _____ |

Adapted from McCune, S. and Matthews, M., "Achieving Sex Equity in Education: A Resource Collection for Technical Assistance Personnel in State Education Agencies", January 1980.

NEXT STEPS FOR SEA EQUITY STAFF

Objective:

To encourage SEA equity staff to take additional steps towards integrating equity concerns into all SEA activities.

Procedure for Trainer:

The trainer should review the list of "Next Steps" presented in the manual materials with participants. Based on their ideas and/or actual experiences, participants should then be encouraged to identify additional steps equity staff can take to increase the integration of equity concerns into SEA activities.

The trainer should point out that new equity staff should not expect to undertake all steps simultaneously. Rather, a more gradual and logical approach is likely to result in long-term equity gains.

Materials for Participant Activities:

NEXT STEPS FOR SEA EQUITY STAFF

NEXT STEPS FOR SEA EQUITY STAFF

The following is a preliminary list of steps equity staff can take to ensure that equity concerns are integrated into SEA activities. While not all steps can be undertaken simultaneously, over a period of time equity staff can be instrumental in structuring a comprehensive equity approach to SEA activities.

GET CONNECTED/NETWORK with SEA staff, LEA staff, community groups, and advocacy groups. Ensure that these groups understand who you are and what "equity" is all about.

GET INVOLVED in all content areas and find ways of infusing equity. For example, work with instructional/curriculum staff in developing women's history resource materials to be disseminated statewide; assist in developing statewide plans for increasing female and minority male participation in math and science courses; implement strategies for increasing awareness concerning the over- or underrepresentation of certain populations in special education classes.

BE VISIBLE WITHIN YOUR SEA. Volunteer to serve on planning committees, staff development teams, and other task forces. Agree to assist with workshops concerning a variety of issues and incorporate equity into those workshops. Offer to review SEA publications for bias and stereotyping. Develop strategies for ensuring that newly-hired SEA staff are sensitive to equity issues. Be instrumental in developing and implementing equity objectives for every division within your SEA.

BE VISIBLE OUTSIDE YOUR SEA. Share your knowledge and materials with LEA staff, community groups, and advocacy groups. Be willing to serve on advisory boards and task forces as well as conduct equity workshops. These activities can go a long way towards establishing credibility for you and your equity goals.

BE CREATIVE. Present new ideas as well as longstanding equity concepts in creative ways. Avoid having your audience think they've "heard it all before".

SHOW INITIATIVE. Look for ways to infuse equity throughout your SEA's activities. Offer your assistance without waiting to be asked.

BE GENEROUS with your knowledge and materials. Disseminate your materials to a wide audience and be prepared to provide technical assistance when needed.

MEET AND COLLABORATE with colleagues in other equity areas when developing proposals for new programs. Particularly when fiscal resources are limited, it is important that equity staff cooperatively try to ensure that no equity issue/program is overlooked or unfunded.

FIND OUT what legislative initiatives your SEA is supporting and identify ways of assisting in these efforts.

BE RELIABLE. Provide accurate and complete information. Follow-up with additional materials when you say you will.

The foregoing segments concerning the integration of equity concerns were based, in part, on presentations made at the CCSSO Resource Center's Second Annual Equity Conference, April 1986. The presentations were made by Tom Andersen, Iowa State Department of Education; Woody Grant, Maryland State Department of Education, and Mike Moon, New York Department of Education. Our thanks to these equity specialists.

EVALUATION/FEEDBACK

EVALUATION

Objective:

To provide CCSSO Resource Center staff with information concerning the usefulness of the training materials and training strategies.

Procedure for Trainer:

Following the implementation of the workshop, the CCSSO Resource Center would appreciate the trainer's completing and returning the Evaluation to the following address:

CCSSO Resource Center on Educational Equity
400 North Capitol Street, N. W., Suite 379
Washington, D. C. 20001

EVALUATION

JOB TITLE _____

1. Were the topics covered in the manual relevant to the workshop participants' professional job responsibilities?

2. What materials were most useful?

3.a) What materials were least useful?

b) How could these be improved?

4. Were the participant activities useful?

5. Should more participant activities be included?

6. Is the manual format appropriate? If not, how could it be improved?

7. Were topics omitted that you believe should have been included in the manual? If so, please describe.

8. Additional comments.

APPENDIX A

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